











HISTORICAL INTRODUCTION

TO

MODERN PERIOD.









W. M. G. H. R.

*Engraved by R. Young from a painting by Sir Thomas Lawrence*









THE  
IRISH NATION:  
ITS HISTORY  
AND  
ITS BIOGRAPHY.

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VOLUME III.

A. FULLARTON & CO.,  
LONDON AND EDINBURGH.



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THE  
IRISH NATION.  
MODERN.

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HISTORICAL INTRODUCTION.

CHAPTER I.

Reign of Anne—Peace in Ireland—Factions in England—Policy of the Penal Laws—George I.—George II.—Cause of the increase of Roman Catholics.

FROM the reign of King William may be dated the dim and cloudy beginning of a period of comparative calm—a calm, however, devoid of the sunshine of prosperity. The reign of Anne was much like the torpid collapse after a long and fearful struggle; the combative animosity of the Celt for a lethargic interval subsided into unnatural repose; and the nation lay still, till young blood and a new race, forgetful, or ignorant, of the horrors of perpetual slaughter, should arise, or when the restless temper of the aggressor, with the sense of ancient wrong, might recover breath, and violence and rapine should be marshalled anew to the work of devastation.

Two great parties had long divided the nation—separated from each other by the ineradicable line of religious creeds—by hereditary animosities—by binding oaths, pledging them to opposition—and by the galling recollection of mutual and inexpiable wrongs. The one backed by the power then in the ascendant over the Councils, and throughout the continent of Europe, the other virtually as irresistible in the British mind and people. That these should lie down in contented peace together, or consent to common interests, was little to be hoped. It was felt, under the pressure of experience, that for the moulding of any constitution which should include Ireland, the voice of faction was to be stamped down. We do not here propose to justify the course adopted for this most necessary but arduous and dangerous end, carried, as we believe it to have been, as far beyond its need, as beyond humanity.

But it was the period of a momentous crisis; the nation could no longer afford to halt between two contending factions—it was necessary to obey Rome or England, with a dim alternative for France. The question was for a moment in abeyance; it was settled by the penal laws. This harsh policy was not adopted for the end since so generally fancied by the patriot of later times, of securing an oppo-

site ascendancy; it was the total suppression of one of the adverse factions, to leave free and unresisted action to the other, more connected with the legislative and executive authorities. Such was the design, and such, though slowly and with many interferences, was the actual development of a regular civil policy in the country. It was an expedient too precipitately pursued, carried far beyond the necessity, and maintained too long, and then relaxed as imprudently as it was adopted; for, whatever the advantage, it has entailed woe on Ireland, and trouble (not yet past) on both countries. The penal laws commenced with the first Parliament of William; they were completed by successive additions in the next reign. They must necessarily hereafter occupy much of our attention; we must dismiss them for the present with one important observation. Whatever may be the judgment respecting the policy or justice of these severe measures, whether the triumph of a class or the self-preservation of a government—(for religion was in no way a motive)—there was not the violation of compact or treaty so repeatedly pretended by pamphleteers and mob orators. There was no confirmation of the one binding article of the proposed treaty of Limerick on which the imputation was charged. The military articles were necessarily confirmed between the officers on the spot preliminary to the operation of surrender, which implied no more. The civil conditions were for the king's discretion; by him these were afterwards confirmed; but the constitutional article, which gave the more general validity claimed for the whole, was, in accordance with its terms, referred to Parliament and rejected. We may at a future stage of our narrative resume this question.

But we must observe that historians have looked with partial and exclusive interest on either side. This may, it is true, be ascribed very much to the fact that Irish history has taken its tone from the length and animosity of an unceasing party conflict, in which the keenest passions have been engaged. The restless conflict of attack and retort—of expedient or unavoidable denial—have of necessity brought into unceasing play the contest of advocacy, of accusation, defence, and crimination. And from these the historian has, by a moral and political necessity, taken his colour and tone. It is most easy for the pleader of either party to find matter for accusation, and no less for defence. Such a condition as that of Ireland, during the 17th and 18th centuries, originated as the result of causes which scarcely admitted of any other. It was a contest between barbarism and imperfect civilization for the supremacy, for the rule of law, and for freedom from law.

On the incidents of Queen Anne's short reign of twelve years we see no reason for entering into detail. Whatever may have been the tacit operation of the events here briefly summed, they have comparatively little historical note. In a word, their result was the preservation of the connection of the British Islands by the entire suppression of the ultramontane power in Ireland during a period of great relaxation at home. A foreign pressure—Jacobinism—hovered on the coast, and France held our forces in the field. The period belongs more exclusively to English history. What may be regarded as of personal interest will fully occupy the history of the principal actors in the scenes of civil and social life.

While a long and dull repose lay over the late tempest-beaten fields and still obscure towns of the least uncultured part of Ireland, yet under all obstructions, moral, social, economical and administrative, the arts and manners of civilization began to obtain a slow and partial development. And the foundations of that English interest arose which alone protected and saved the connexion with England. England herself was carried through every trial to which a kingdom could be exposed, short of invasion or civil war. With regard to Ireland, her policy was yet kept in subjection to her own interest; a jealous regard to legislative and commercial superiority appears prominent in all her dealing. It was in effect simply a colonial policy, maintained for the dominant state—yet, notwithstanding this depressing condition, the interests chiefly important to social progress were not neglected.

The Day of Anne has been not inappropriately compared to the Augustan age. A full survey of the literature of that period would go far to confirm a sentence in which we should have little immediate concern, were it not for the communion of genius, and participation of intellectual resource and impulse, untrammelled by the policy of kings and uncontrolled by laws other than those of mind; and thus, while small tyrannies, commercial restraints, and territorial or fiscal oppressions, materially tended to depress the spirit and retard the advance of the country, an intelligent sense was in its dawn, and a spirit was rising, to be in future days matured into the bright intellectual noonday which has, in our own time, raised Ireland's university to a level with Cambridge, and placed Lloyd, Hamilton and Macullagh, with Herschell, Adams and Leverier, and among the worthy successors of Newton. The rich cultivation of letters could not fail to spread light across the channel, and generally, rude as was the level of the Irish community then, it is enough that it could touch on the eminences of individual minds for the diffusion of moral culture, and the first awakening of the national intellect. The next generation, immediately to appear on our pages, renders any farther addition to these comments needless. The period of William, Anne, and the first George, opens an age as illustrious for its men, as it was memorable for its great events; and among the former, Ireland is represented by no inferior names.

We will not in this place abuse our reader's patience by enlarging upon events of contemporary history, which must in some measure enter into the principal memoirs of the existing period. But we take occasion to apprise him that from this, the character of our task must undergo a considerable change. The Irish biographer must accompany his heroes to every point of the compass, and be in some measure a citizen of the world. It may, in passing, be briefly observed, that, during the dull stagnation of the reign of this good queen in Ireland, the English annals are equally memorable for signal events. It is no less signalised for a long contest of intrigue and perfidy which dishonours some among the highest names.

In 1759 there was a general apprehension of a French descent upon the Irish coast. There had been for some years a Continental war, and the Government were, at this time, engaged in precautionary measures. The Duke of Bedford was Lord Lieutenant of Ireland. From him the Irish Commons received a message intimating the pro-

bable expectation of an invasion of the coast for the purpose of creating a diversion of English attacks on the continent. The appeal drew forth a general spirit of loyalty; but the invasion did not occur so soon as expected. Then soon after, came a startling confirmation, in the appearance of a small expedition, containing about 6,000 troops, at Kilsnot, near Carrickfergus, on 22d February, 1760. It caused great consternation through the country, but ended in a slight assault on the town gates, which only obtained its partial success owing to the absence of all adequate provision for defence in troops or ammunition. The garrison consisted of ill-armed militia—mostly armed by themselves—their powder was soon expended in the first attack, and when the enemy's guns had forced the gates, the walls being in a dilapidated condition, the commandant found himself compelled to beat a parley, and propose terms of surrender. The terms proposed were granted, with the exception of the stores in the castle. We think it needless to dwell more minutely on the particulars of this capitulation, rendered ineffective by the event. The French commander became immediately aware of preparations being made and bands collecting, to attack his small force, and also of the proximity of three English ships, by which his retreat might be intercepted. He re-embarked in haste, and was pursued. An engagement followed, in which M. Thurot was slain, and his ships taken. The vessels so captured were, the *Belleisle* 44 guns, *La Bland* 32, and *Terpsichore* 26. The British squadron was commanded by Captain John Elliot; whose report of the affair is dated 29th Feb. 1760. The reign of George I. had so little influence on the affairs of Ireland, that we omit any allusion to it here.

On 25th October in the same year George II. died, and the long and eventful reign of his successor began.

The reigns of the two first Georges, though not without many special interests, which will appear in the lives which are to follow this summary, can hardly be said to occupy a place in the general history of Ireland.

Nearly at the same period, the question of a legislative union was first introduced in the Irish Parliament, but was for the time suppressed by popular intimidation. Before it could be further entertained with the remotest effect, forty years of political intrigue and popular ferment were destined to elapse. To some details respecting these, we shall presently have to pass.

Some general facts on the state of the country must properly precede the events of a more stirring time, when popular spirit, renewed by long repose, once more, under altered circumstances, began to uprear its crest. Though rebellion slept, and disloyalty seemed forgotten, local and occasional discontents and partial outbreaks among the lower orders, kept alive their restless nature for coming outbreaks.

We cannot better portray the state of the land, or of the spirit of the nation in the point of time here marked out, than by using the language of the Roman Catholics in their address on the King's accession in 1760.\*

\* Economy of space compels the omission of the merely formal passages of this long address.



This address is inserted to show that the Roman Catholics were at this time sensible of the lenity they had for many years experienced from the Government.

“Permit us to condole with your Majesty, and pour out our sincere sorrow for the loss we have sustained, by the death of a monarch who had always approved himself the common father of all his people; a loss the more sensible on our part, as the repose we have so long enjoyed proceeded from his royal clemency, and the mild administration of his government in this kingdom.

Ever since the accession of your Majesty's royal house to the throne of these realms, we have in a particular manner experienced the paternal interposition of your illustrious predecessors. We, most gracious sovereign, who are so unfortunately distinguished from the rest of your subjects, cannot subsist without a continuance of the royal favour and protection.

Sensible of the same hereditary compassion in your Majesty's breast, we most humbly hope for that share in the happiness of your reign, which our peculiar circumstances can admit, and we beg leave to assure your Majesty of our grateful and constant return of affection and loyalty; *a loyalty which our conduct has proved and our religion enforces*; happy might it entitle us to express a wish, that of all your Majesty's dutiful subjects of this kingdom, we alone may not be left incapable of promoting the general welfare and prosperity of it.

May the Almighty so influence and direct your Majesty's counsels, through the whole of your reign, that they may be ever productive of real happiness to all your people! And may that reign be as memorable for its duration and felicity, as for the greatness and variety of those blessings which we have already such reason to expect from it.”\*

Though at the accession of Anne, and during the earlier years of the Hanover princes, a spirit of popular submission appears to have prevailed, war had smoothed its front, and the political grievances seemed mute; but yet the natural restlessness of faction was alive, and local grievances, never wanting, began to assume formidable dimensions early in the reign of George II. Factions or discontented individuals had, during Queen Anne's reign, made earnest efforts to obtain personal importance, or avenge neglect by stirring up the populace. Already the title of Patriot won its equivocal honour, and the Demagogue began to strut and spread his tail in the face of authority. Civic grievances rose at times to an alarming pitch. But in the year 59 or 60, the language of sedition and the working of conspiracy became thenceforth distinct in shape and action.—It will be necessary to particularize these comparatively slight interruptions to the general tranquillity, not only because they succeeded each other upon an increasing scale of audacity and virulence—but in the course of time grew to be the constitutional disease of the Irish nation. Both in cause and character, the earliest instance of these destructive eruptions of popular discontent was similar to the disorders of later times; though perhaps more exclusively ascribable to the spontaneous excitement of the people, goaded by real causes of discontent, and unprompted by the suggestive eloquence of the

\* Seward's Collectanea Politica.

Patriot. The grievance was loud, and though the vindication, as usual with popular reprisals, went far beyond the injury, there was a considerable amount of wrongful disregard of the local suffering inflicted upon a poor and industrious community.

Many of the estates gentlemen in Munster had, to some extent, allowed rights of common to their tenants over their waste lands, in compensation of the exorbitant rents for their small farms. Following, in course of improvement, the suggestions of personal interest, and disregarding the claims of implied compact—they proceeded to enclose their commons. It must be needless to point out the consequence to those who had been thus enabled to find pasture for their cattle, and possessed no other, within their narrow inclosures, necessarily devoted to tillage for the sustenance of their families and payment of their rents. The result was the Whiteboy insurrection, organised by a secret conspiracy bound by oath; in the mode afterward so well known in the many following outbreaks, the same in fashion, however various in pretext and immediate direction. In this, as in all subsequent like conspiracies, the disorderly proceedings, though seeming to bear some ostensible relation to the matter of complaint, extended to every criminal outrage on life and property. Fences were levelled—cattle maimed—and murders committed.

It may be just to add here, once for all, what may equally apply to other succeeding instances, that much of the reproach fell upon the Romish inhabitants of the Southern provinces in which these atrocities prevailed—and were charged unjustly to religious perversions, or priestly influences. However this element may be, on some such occasions, truly traced in the deviations of the Irish peasantry, at worst they will be found but supplementary to more influential causes—and far more powerful promptings. Whatever may have been the real inclination of the Romish Priest as the vowed subject and self-devoted bondsman of the Pope—he has been in an increasing ratio more the instrument than the prime mover of popular tendency. In later times the Demagogue has mainly usurped the privilege of dictating to popular passions to burn at his will and for his interest. One fact is to be observed in relation to such a conclusion; for some hundred years back from the period on which we are engaged—the Irish peasantry were of the Romish Church—had they been of any other, the same occasions of resentment or the same sowers of sedition would have awakened the same spirit of outrage, and led on to the same atrocities. Much of this will hereafter appear more fitly. In the Whiteboy insurrection the priests exerted themselves for the suppression of crime and the restoration of order.

The tumults of the Whiteboys were soon suppressed; but a fire was kindled in the Irish temperament, which never after was wholly quenched. The same spirit of organization for similar disorderly outbreaks became as it were naturalized among the Irish peasantry, and delivered down from the Whiteboy of that generation to the Ribbonman of the present. Bound by oaths to a regular and strict discipline of mutual support, secrecy, and subordination to leaders;—on some occasions leagued by hardships and oppressions real or imagined, on others instigated by the self-interested schemers who took to themselves the title of Patriots—they became the periodic terrors of each succeeding

generation; gaining in the course of time more formidable ascendancy over the peace of society, and at last over the legislature of the nation. It may now be simply tedious to detail the grievances of the Oakboys, bound to a week of annual labour on the roads; or the Starboys, a few years later the predecessors of land-tenure discontents; and whether justifiable or not in their individual complaints, in each instance proceeding lawlessly to the redress of all imaginable wrongs.

In those instances of popular violence, we unjustly assign blame to the prejudices of sect or party, as in opposite quarters of the country similar disorders were alike traceable to either sect. The only true distinction lay between ignorant and civilized—rich and poor—sufferings inseparable from the general condition of a country not then emerged from barbarism, were too easily confounded with grievous wrongs, against which the course adopted for their redress was not to be vindicated. A land, then, unsuited for the residence of the wealthy and refined, or for the industrious capitalist, was of necessity exposed to the worst ills of poverty and neglect.

There never was a time in which cause of changes might not be found on every side, and sect, and party—such is the condition of humanity. But the worst of results has arisen from the mischievous advocacy, which, by its one-sided, or over-coloured recollections, converts history into a libel. The Irish peasantry, which almost deserves the splendid flatteries of its deceivers, has made great advances in the course of progress—it has gained ground *per fas et nefas*, like a sturdy infant hard to dress from kicking and contortion, but at last arrayed in the attire of common humanity. Some evils belong to this condition—but these are not wrongs—and their worst effect is the perpetual tone of wicked misrepresentation, or rash misconception which so perverts them.

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## CHAPTER II.

George III.—Considerable Change of Popular Spirit—Constitutional Changes Sought through Government—Commercial—Legislative—Free Trade to Colonies, &c.—Octennial Bill—Appellant Jurisdiction—Dissension with Lord-Lieutenant—Six Months' Money Bill—Volunteers—1782.

A REMARKABLE change is discernible in the constitution of the popular mind, of which it might be hard to fix a precise epoch. It may be described as the attainment of a national consciousness, a sense of right in the aggregate as a people. This first step toward constitutional existence may have been the result of many causes, which are usual in the progress of nations; but chiefly it can be traced as the effect of the policy which, for a season, put an end to the division which reduced the country to a battle-field of factions. It may have been with a view to the maintenance of this policy that the Government by ecclesiastics was in some measure adopted; and that for a season the government of the country was mainly carried on by faction and by the heads of the great families—to whom it was found expedient to be committed—those who, by property, held influence and commanded votes. These,

with the Lords Justices, the Archbishops Boulter and Stones, contented for power, and maintained the order of things. The Lord Lieutenant, who was mostly absent, little interfered with these; and as nothing was known in England of Irish affairs, matters were wholly left to their own course. From the year 1724 the parliamentary factions were quietly managed, and the government was carried on mainly by the lawyers and prelates, to whose charge it was entrusted as Lords-Justices during the absence of the Lord-Lieutenant. Of this policy an account shall be given in the lives of its chief conductors.

It was in consequence of the change of spirit noticed above, that legal rights and constitutional privileges began to be sought through authorized means, and chiefly through the means of the Legislature. There existed a community jealous of civil rights and of national independence. From the commencement of the reign of George II. these sentiments were slowly propagated until the second decade of the reign of George III. The result was far, indeed, from contributing directly to the welfare of the nation; it put an end to the divisions which had hitherto agitated the people, and so far gave the virtue of unity to their efforts which had as yet but served the policy of the English government. It is not to be disguised that during all this period in all its interests this country was ruled with an exclusive regard to England. But there was now substituted for sectarian interests and popular animosities a rational regard for common rights, sure to grow, and to be handed down with accumulating power. Such was the progressive principle of this reign.

Penal laws, the grievance still complained of by the Roman Catholics, were first discussed in very full details. On this question we have heretofore given the main facts as they occurred. We may here observe, in confirmation of the present statement of the policy of that harsh test to which the members of the Papal communion were subjected, that the ablest and most zealous of those who, on the latter occasion, pleaded for the repeal of these disabilities, admitted their necessity. We do not now offer this fact as altogether vindicating their justice or as an excuse for their cruelty. Passed at a period when the claims of Ireland were less understood, they were in themselves made doubtful by many considerations which place the question in a wholly different aspect; besides the great interest of the policy already mentioned, there can be little doubt of the foreign influence to which members of that communion had been subject; of the factious employment of that influence; and also of the danger to be apprehended from their possession of the electoral franchise. Something may indeed be allowed for the ignorance respecting Ireland; then so much greater than now, when it is almost equally apparent in the policy of the government and in the opinions of the press.

Hitherto the Roman Catholics, by the connivance of the executive and the good offices of their Protestant friends, had been allowed to retain their estates through an artifice equivalent to some of those by which, in early times, the laws of real property were evaded in favour of the church. A fictitious transfer, however, in this case, placed the estate at the mercy of the nominal possessor. This advantage was in no instance abused. It is mentioned by historians that a poor Protestant



barber held the tithes of most of the Catholic estates in the south, and restored them without accepting recompence.

At that juncture much had occurred to remove the main grounds of charge against the Roman communion. During the three previous reigns their conduct had been exemplary for loyalty and order, and the time was come when they were regarded as entitled to a qualified freedom. It was now proposed, by a motion of the Right Hon. Mr. Gardiner in the Irish Commons, to bring in a Bill restoring them to the right of property in fee simple, and to the entire freedom of worship.

In the same year (1778) a similar measure was introduced by Sir George Saville in the British House of Commons, and passed without a single opposing vote. By these measures, both of which passed into law, all the severe enactments of William and Mary affecting the tenure of property by Romanists, with other penal regulations, were entirely removed.

It may be mentioned that in the previous session (1777) the Roman Catholics were empowered to take leases for any term of years not exceeding 999, or any number of lives not exceeding five.

This important matter of grievance was now finally redressed, and Roman Catholics were set free from the pressure of all *real* grievances.

In this unqualified statement it will be understood that we express our own judgment under the formidable protest of modern liberalism. We shall, at a future stage not very distant, have occasion to vindicate an opinion important for the right understanding of the present and the past of Irish history.

We must here confine ourselves to the important distinction which marked the caution of the legislators of this critical period. While conferring personal freedom and security of possession on the Roman Catholics, they with almost entire unanimity objected to the concession of political power. The history of the past admonished from no remote record that the divided allegiance which they acknowledged, though permitted to sleep while the policy of their church allowed of peace to the country, would ever, when that policy required, be ready to listen to the trumpet of sedition.\*

The main consideration then thought necessary was to guard the power to be obtained through the Parliament; by which it was supposed the kingdom would be exposed to intrigues of the Papal See; then in full activity in every state, and not the least in Ireland.

The next event which may be regarded as giving rise to a change in the course of our history was a result of the American war. This event, which, in its first effects, was productive of distress by interrupting the export of the Irish linens to America, led also to a declaration of war from France. It was a question whether the coasts and maritime towns of Ireland were safe from the fleets of this formidable alliance. The Irish seaport towns applied for protection to government, and were informed that they must protect themselves. The resources of government were supposed to be unequal to the threatened emergency. Such was the

\* It may be fit to qualify the application of this comment by recalling the differences of the times, to which reference has been repeatedly made, and to which we must return. The interests of the Pope have changed, and are changing.

origin of the Volunteers. Ireland at the instant started into an armed nation, a people embodied and disciplined by itself. It was now felt, although the sentiment was generously suppressed, and without being accompanied with a thought of disloyalty or disaffection, that Ireland, for the first time, held her fortune in her own hands. Under this feeling the officers declined the offer of the Government to take out regular commissions under the crown.

The avowed objects of the Volunteers were "the defence of the empire and the restoration of the constitution." In their steps to the latter they were cautious to limit the national claim to a point which Ireland could not herself decide upon—this was "a grant of free trade."

The great national grievance, which, for a time, counterbalanced all that government could do, even when it administered for the good of the people, was the restriction of trade, in compliance with the commercial interests of English towns. With the colonies anything like free trading was practically prohibited. In English ports there was a jealous exclusion of all commodities which might rival their own. This narrow policy had the disadvantage of being too obviously traceable to its motives, and added to the national ill-will which many causes real and imaginary had for ages been treasuring up. And it became the more odious, that attempts made by the British Ministry in 1777 and 1778 to remove these restrictions were defeated by the jealousy of various English manufacturing towns.

It was a result of the spirited position taken by the Volunteers that in the following year (1779), these restrictions came to be earnestly discussed in the Irish Commons; and after a spirited debate, in which all the eminent men whose names adorn the records of this period delivered their opinions, it was moved that "it was not by temporary expedients, but by a free trade, that the nation could be saved from ruin." This resolution, carried by unanimous consent, enforced by a six months' bill for the supplies, and not resisted by the Secretary, was favourably met in the British Parliament. The Irish Commons, in addition, specified the following claims:—A free trade to the British colonial possessions in America and the West Indies. In answer to this the minister proposed and passed a bill which repealed the laws which prohibited the exportation of Irish woollens. A like freedom in the glass trade was also granted. The further repeal of general restrictions was refused, as demanding further consideration.

This policy will presently appear in its operation in the course of the long struggle to which it gave rise. Of this struggle the law of Poynings was a main source; by this project any Bill, originating with the Irish Parliament, was to be certified to the Privy Council, and returned before it could be allowed to pass. The Lords were also deprived of the appellate jurisdiction by a declaratory act in the 5th year of George I. These, with many occasional causes of contention, maintained an irritation which grew louder as the parliamentary factions gained strength and ascendancy in the country.

This question may be traced back to its rise in 1698, when a pamphlet, entitled "The Case of Ireland, being Bound by Acts of Parliament in England, stated." In this Molyneux examined minutely

the question how far Ireland was to be considered as conquered by the Normans, by Henry II., or at any time after, tracing its subjection to treaties and voluntary transfers, and finally to the merging of the crown into that of England on the accession of King John.

The Volunteers having now entitled themselves to the public gratitude, and won, as it were, a constitutional sanction by the consent of the authorities, soon began to avail themselves of vantage, and to give a loud echo to every popular grievance. At Dungannon a meeting of the representatives of 143 corps of volunteers of Ulster was held on 15th February, 1782. At this meeting they passed several resolutions, first affirming their right as citizens not to be lost in their character as soldiers. They entered upon the whole catalogue of grievances heretofore discussed by the Commons and public. They resolved—"the claim of any body of men other than the King, Lords, and Commons of Ireland, to make laws to bind the kingdom is unconstitutional, illegal, and a grievance." They next voted the claim of the Privy Council under the law of Poyning to be a grievance. Thirdly, they resolved, "That the ports of this country are by right open to all foreign countries not at war with the king, and that any burden thereupon, or obstruction thereto, save only by the Parliament of Ireland, is unconstitutional, illegal, and a grievance."

In similar terms they denounced a Mutiny Bill unlimited in duration, and insisted on the independence of the judges as essential to the impartial administration of justice in Ireland. Finally, they pledged their unalterable determination, as citizens and men of honour, to persevere in seeking redress in these grievances.

One further resolution we may here add, as it may serve to attest the freedom from party spirit of this illustrious body of men—"That we hold the right of private judgment in matters of religion to be equally sacred in others as in ourselves; resolved, therefore, as men, as Irishmen, as Christians, and as Protestants, that we rejoice at the relaxation of the Penal Laws against our Roman Catholic fellow-subjects, and that we conceive the measure to be fraught with the happiest consequences to the union and prosperity of Ireland." This last expression of sentiment, abstractedly undeniably just, was especially so at the time when the Roman Catholics had been for a season quiet and unexcited, and earnest in their profession of loyalty. And it must be here remarked, for it is one of the lessons of Irish history, that it is not the peculiar tendency of the members of this foreign church that renders them less amenable to civil order, for such is not precisely the fact. They are subject to two disturbing elements—the foreign jurisdiction enforced by spiritual sanctions; and—from the condition of largely belonging to the lower class in Ireland which exposes them more especially to the arts of the street orator, who trades in popular ignorance or party discontents. As a general fact, it may be seen that the educated class of the Roman Catholics, so far as they are under no special influence, are uniformly governed by peaceable feeling and respect for the law of the land.\*

\* We do not in the above observation assume to embrace all the conditions of the larger question, on which we have so far partially touched. A new state of

Such was the voice which then gave for the first time an utterance to the wrongs of the country, more unanimous and impressive than was ever heard from its wrangling legislature. From thenceforth the patriotic minority in the Commons obtained authority and sanction, and were felt to be entitled to that attention from the English Legislature which no conviction from reasoning or proof of fact could effect. We should be slow to sanction, under any common juncture of grievances, a similar mode of seeking redress. The common error will be found implied in the first resolution. But the combination of circumstance was solitary. It was no case of doubtful question or party division. The points to be decided were affirmed by unanimous assent and the reason of all time. The volunteers were guided by men of honour, sobriety of intellect, and constitutional knowledge. They were arrayed by authority for a high end; they used the occasion for one equally noble—one which only sought the ends of justice by strictly legal means.

The spirit thus embodied in these resolutions was universally diffused throughout the country, and found its echo in many meetings. We proceed to sum its results. The language of reason and justice spoken with unanimity and with power by an armed nation which had shown itself worthy by a common service to the state, could no longer be insultingly disregarded even by political hostility, and the principal demands were soon taken into friendly consideration.

We may now resume the legislative changes so long claimed by the Irish Parliament.

A message from the king to the House of Commons in England bespoke its favourable consideration for the Irish discontents "respecting matters of great weight and importance; and earnestly recommended to the House to take the same into their most serious consideration, in order to such a final adjustment as might give satisfaction to both kingdoms." \*

A similar message was presented to the Irish Commons by the Right Hon. J. Hely Hutcheson, the Secretary of State in Ireland. Mr. Hutcheson further confirmed the sincerity of the message by an earnest expression of his opinion in favour of the claim of the Irish Legislature to Independence.

On the 14th of April, 1782, the Duke of Rutland came over as Lord-Lieutenant, and was understood to bring with him the royal sanction in favour of the principal claims of Ireland. They were now again discussed on this understanding in the Irish Commons, and an address was moved by Mr. Grattan proposing the repeal of the 6th George I.; the restoration of the appellate jurisdiction to the Lords; the repeal of Poyning's Law; and only omitting to include the Judge's Bill, as having been returned already by the Privy Council. On the ground of this address the first of these resolutions was moved and carried by ministers in both Lords and Commons in the English Parliament. By this the jurisdiction of the Irish Legislature was substantially affirmed; as, by

things has turned up, not in Ireland, but in England, with which, for the present, we decline to deal.

\* Collectanea I. 220.



the repeal of the 6th George I., the power of legislation for Ireland remained between the Irish Parliament and the king. The Duke assured the House that the king would in future not permit their Bills, transmitted for the Royal Assent, to be altered by the Privy Council, and would give his assent to an Act to that effect, as also to limit the duration of the Mutiny Act. An address of thanks was proposed, in which it was unfortunately affirmed that for the time to come no constitutional question of importance could arise between the two countries. The expression was caught up by the litigious spirit of the House, and tossed with captious iteration from side to side through all the changes of a noisy debate. Mr. Grattan followed, in an eloquent speech, by moving substantially the three resolutions proposed by the meeting at Dungannon, of which he, together with Lord Charlemont, was chiefly the author. After which, the Duke of Portland, in a speech to both Houses, expressed the full consent of the Government. Thus, little more than what may be regarded as formal remained, along with personal disputes and differences of opinion which we shall find occasion to notice hereafter, so far as their interest permits or requires. The debate which followed displays how far nice differences of opinion in concerns of the utmost moment will be allowed to retard the agreement of reason, and raise trifles into importance. The division confirmed the assent of the Commons by a majority of 211 against 2. The enlarged mind of Grattan was for the acceptance of these measures as in full of all their claims. Others, among whom was Mr. Flood, were for a declaration against possibility and chance. By the free consent of Government, the independence of the Irish Legislature was amply secured. The general satisfaction was shown by a vote of the Irish Parliament of 20,000 seamen for the navy. A vote of £50,000 to Mr. Grattan for his distinguished services was added.

The next step of importance in the same year was the establishment of the Bank of Ireland, by the Act for which (20 and 21 George III.) it was provided that £600,000 in cash or debentures at 4 per cent. should be subscribed. The personal liberty of the subject was secured in the same session by the *Habeas Corpus* Act being passed.

In this parliament fresh concessions were made to the Roman Catholics.

Great suffering and discontent were felt this year (1782), ascribed mainly to the want of maritime protection—excessive taxation, the ill administration of the trial by jury, and the freedom of the press violated.

In the course of the following, an attempt was made in the English Parliament to settle on equitable terms the commercial interests of both kingdoms. Considerable attention was paid to most public questions of policy, election, the public debt, the criminal jurisdiction. Many good laws progressed, and some passed. The public debt of the kingdom was in the meantime suffered to accumulate to a ruinous excess; and a tendency in the South to insurrection gave ominous but unfelt warning of evils yet to come.

The year 1783 presented a strong excitement in the public mind of England on the subject of parliamentary reform, stimulated by the spectacle of the influences then at work in France, which ripened into its

too famous Revolution. A similar excitement showed itself in Ireland, but the re-echo was not from the people but the Volunteers.

Called together under adventitious circumstances which gave them an incidental weight in advancing the passing of measures for the commercial freedom and legislative independence of their country, the Volunteers exalted their sense of their own character, and enlarged their requisitions. Under the name of a national convention, consisting of delegates from their various corps, they sought to arrogate to themselves the deliberative functions of a parliament, and the right of dictation to the national legislature. At the instance of this body, on the 23d Nov. 1783, Mr. Flood introduced a measure for the more equal representation of the people in parliament. But the danger of yielding to armed influences and to galleries crowded with delegates in their uniforms was too apparent, and was insisted upon by the best names in Irish politics. The motion was rejected by a large majority.

Though we have declined to enter unseasonably in this place on the merits of the question thus rejected on specious grounds, we may hazard one observation respecting those grounds. The claims of the Volunteers to propose the law, was, we think, defended falsely, on the plea that in becoming soldiers they did not cease to be citizens, and that they were still the people: a fallacy which so applied set aside the fundamental principle of Law; it describes a nation armed to coerce its rulers, and is the beginning of revolution. Now, of especial importance by its growing connexion with the political latitudinarianism of our times, when it has become the lever of constitutional disorganization.—But we forbear.

Notwithstanding, this measure was again urged by its author and rejected.

Within the latter few years of this century there existed a great advance of political activity both in the improvement of the law and also in the contrary direction. A republican spirit had been for some years stealing unrecognized on the public mind. Among large classes it took the shape of justifiable discontent at real grievance, verging even to insubordination with the increased liability to be excited by the misrepresentations of the Demagogue. But in the dearth of political experience, popular discontents were to some extent concentrated and confirmed by the well-meant representations of genuine Patriots, transported too far by their ingenuity in the unsafe use of political speculation. In the theoretical exposure of possible abuses of power, they too often misled popular feeling to realize the problematic wrong. There truly existed many evils to be redressed, and of wrongs not a few, but the public sense was industriously biassed against all government.—Within a few years old discontents had revived in new forms. In the embodiment of Volunteers the prediction of Langrishe was verified, the dragon's teeth were sown; and though those men deserve the true honour of saviours of their country, anybody who may trace their subsequent career will discover in the principles they transmitted,—the rise of the United Irish. From the insurrection of the Whiteboys in 1762 to the Rebellion of 98, one insurrectionary movement succeeded another—only varying in name, parties, and locality.

The commercial privileges conceded in favour of the country, as well

as the legislative independence, were soon, on different pretences, and in different ways interfered with, neutralized or recalled. And fresh dissensions added to the flame of popular excitement, already ready to assume the character of sedition. The renewal of political discontent; together with the infringement of the recent commercial concessions, once more awakened the Volunteers, who soon merged and were lost in the United Irishmen.—Of these we shall offer some account in a memoir of their founder.

Our history is here entangled with much general statement by some writers, and confused by the gross misrepresentation of others; and would require more space than their importance may claim to set them right in this summary. The same spirit of the Parliament and People continued similarly, only with increasing energy and more decided results, to agitate the country to the end. Those results—that end, must be the subject of another chapter.

### CHAPTER III.

#### United Irishmen—Rebellion of '98.

WE must now approach the last scenes of this tragic history—in which the element of good and evil, of virtue and vice, often alternate, and are often strangely confused and blended; so as to give rise to the most opposing judgments; furnishing each faction with justification for misdeeds and grounds of animosity; and not unfrequently rendering it a matter of much risk to adopt or reject any statement of fact or opinion.

The natural and patriotic, but mainly abortive, efforts at independence in Ireland tended, with little exception, to reduce the people to a state of lower degradation than before. Some advances in popular education; something more in the cultivation of literature—due chiefly to the University of Dublin; the emancipation of the Roman Catholics from their cruel disabilities;—these may be regarded as the sum of the loud contention of the patriot, or the disputant, of that brief but not inglorious Parliament.

While the genius of Grattan, with his able compatriots, was slowly gaining ground against the commercial jealousies of England, and with something of the fortune of Sisiphus rolling his load up the mountain to be rolled back by its own weight, another instrumentality was gathering over the land in secret, which was to alter its destiny through many desolating trials.

We have already mentioned the origin of the United Irishmen, of whose history we shall yet have to offer some details. They formed a skilfully concocted organization for co-operation and secrecy under the chief guidance of Theobald Wolfe Tone. From this unfortunate gentleman they acquired their discipline, extension, and their ultimate destination and connection with the principles of revolutionary France. It is not, however, to be lost sight of, that the habits and principle of insurrection had been for centuries past naturalized in the soil. It was the idiosyn-

eracy of Irish nature, and it needed little to produce confederacy for good, or conspiracy for evil. Tone published a pamphlet in 1791, containing a full statement of his matured views of policy, which spread revolutionary spirit and opinion through the kingdom.

The country was now ripe for the result of these discontents and secret plottings; many causes were working together to excite every feeling into action; long cherished national animosities—expectations of plunder—vindictiveness—desire of an imaginary independence—above all, the factional hate caused by difference of religion. Of these sentiments some were quite fictitious, while others were intensely real; but so strangely worked up together that each was augmented by the rest. The ancient Irish race had become nearly extinct, though they had transmitted, by intermarriage, their language and their customs to many of those who doubtfully claimed to be their conquerors. But the real cause of popular bitterness was religious difference. From the reign of Henry II. the Church of Rome, after a long struggle, had gained an ascendant, which had in turn to give way to the Reformed Church; and these two creeds divided the allegiance of the nation. This division was widely marked by the condition of falling into coincidence with different classes. It was not that persons of rank and wealth were not in the Romish communion. These distinctions would of course operate to some extent as a separation; nor was it found, when the troubled time came on, that the educated classes, of whatever creed, took active parts; ignorance or fanaticism were necessary conditions; their prospects, or even chances of success, were not sufficiently encouraging to induce adherence; or, rather, the opposite was too apparent.

But the time approached when explosive matter pervaded the atmosphere of Europe, and every congenial spirit was touched with revolutionary frenzy. It is needless to enter on the varied expectations of those who in 1798 emulated and outvied the horrors of 1641,—it may be enough to give a summary: the splendid fiction of patriotism covered many base pretences. On the whole, the spread of republican principles, the example of France, scarcely resisted in England, together with the sanction of recent discontents, gave their pretext to the incendiaries of the day. Wrongs were not wanting; but much had been redressed, and more would have been conceded; and perseverance was only wanting to break the last link of the imaginary chain. It was not yet seen what the end of this frantic outbreak was to be; though this murderous rebellion was eventually charged on its authors as their premeditated design.

But, of course, in this conflict of motives the suspicion of authorities cannot be assumed to have wholly slept; nor could the Protestant party feel quite secure of their safety, or quite trust in assurances of which much was transparent pretence. Mutual aggression was the consequence. Be it as it may, there could not be any doubt as to what was the turn things were to take, or what designs were uppermost. Plunder—revenge for unforgotten wrongs and old-standing, but factious and revolutionary designs, conceived by fanatics and incendiaries. Violences may have been and were committed, but under such circumstances loyal men are hardly responsible for their judgments, and much less for their acts: their first obligation is the safety of the state—*ne quid*



*respublica detrimenti accipiat*—the second, the necessity of self-preservation. The mischief was in preparation long before, in a quiet time, while great concessions were being obtained by peaceful means. It may allowably have been pronounced late,—when the demoralizing principles of the French Revolution were proclaimed in every European state, backed by the savagery of the lowest rabble in Europe at that period. Such was then the crisis.

We must state a few essential preliminary facts. In 1794 a clergyman, a Mr. Jackson, imbued with democratic principles, repaired to Paris, to seek his fortune among congenial republicans; he was there counselled to try his own country, for, though previously settled in England, he was an Irishman. He would have selected England, where the example of France had struck deeply; but Ireland was known to be more within the grasp of French intrigues and of French arms. He received a letter of introduction to Mr. Rowan, then confined in Newgate for sedition, and to Tone. With these gentlemen, who had long been labouring to mature a scheme of union between Ireland and the French republic, he now entered on the consideration of the means; and as the reader is aware, they had ample material to work upon.

Jackson was soon detected by the information of a confidant, one Stone, and tried on a charge of high treason. On this Tone absconded, and found refuge in France, where he employed his talents and address in the prosecution of the same plot. He was after some time committed to the care of Hoche, by whom the future army for the invasion of Ireland was to be commanded. Under this conduct Mr. Tone's part of the plan was slowly and with many difficulties matured during another year.

The United Irishmen had adopted the addition of a military organization and exterior, and a large number of pikes were made. In 1796 several active leaders were added, and gave the conspiracy a more decided form and character,—Mr. Arthur O'Connor, the Emmets, Mr. Bond, Dr. M'Nevin, &c. From these gentlemen much information confirmatory of the view here taken was afterwards communicated to the government. It appeared then, by their sworn declarations, that there was no design of redressing Roman Catholic grievances; that, in the event of success, no ecclesiastical establishment would be permitted; and that the people did not think of Parliamentary reform, but thought they should be gainers by a revolution. It was, indeed, a natural illusion, that the low should take the place of the high, but their leaders had no such intention. There was a rotten and corrupted mass, and there were many misled by greater fools or knaves than themselves, and many acted under terror; but a large majority of the people were sound and well-affected, so far as they were permitted to be so.

The military system was framed from the United Irishmen as that body had been from the Volunteers, and by borrowing a few hints of form from the French Directory. The whole was committed to an executive consisting of five members. Immediately under these were the adjutants-general of each county, whose part it was to transmit in order through the colonels, and these to the battalions of 600 men.

It was first concerted between Arthur O'Connor and Lord Edward



Fitzgerald,\* in a meeting with Hoche on the French frontier, that Ireland should be invaded by a French fleet and an army of 15,000 men. The expedition was, however, postponed for a considerable time, and when undertaken, was, after tossing some weeks in Bantry Bay, and losing half its ships, compelled to find its way back to Brest.

In the meantime the Government obtained a true insight into the advanced progress of disaffection in Ireland. The Insurrection Act was passed. On its policy the statesmen of the time were much divided; many were impressed with a sense in favour of conciliatory measures; others more clearly apprehended the emergency; none, perhaps, truly saw the great reality—that there was no such thing as the conciliation of a seditious people under factious influences. Their aims are seldom truly expressed or rightly understood; they are those of their leader, far beyond the object of clamour. There can at the same time be no doubt that most atrocious deeds of cruelty were committed under the sanction of Government. The case was more desperate than it appeared, and the Government, acting on secret information, saw the necessity of precautions not immediately within its power. It felt the necessity of strong measures, and acted under alarm; in Ireland the Government was weak, and it was forced onwards by the ignorance and incapacity of its agents. These acted under alarm, with prejudices exasperated by terror, and witnessing lively indications in a time full of warnings, were as men walking blindfold through pit-falls.

When the Rebellion first broke out there was no adequate military force to resist it. The Yeomanry were little superior to the armed rabble they were led to resist—they were scarcely armed, and often without the advantage of drilling. They were afterwards described as more formidable to their friends than their enemies.

Meanwhile proceedings went on languidly in France, to the great impatience and annoyance of the Irish, who were with much difficulty restrained from action. The Government, alarmed by confused reports and uncertain indications, could for a long time obtain no specific information. The liberal statesmen, who called themselves the friends of the people, and the Irish Parliament, were proposing a Reform Bill, and being out-voted by a large majority, in their patriotic indignation seceded from the House.

In the beginning of 1797 a discovery took place which must have cast a broad light upon the real aspect of proceedings. Information reached the authorities of a secret meeting to be held in Belfast at a certain house on the 14th April. Thither Colonel Barber repaired with a military detachment, and found two committees sitting. He sent an officer into each of the rooms in which they were met, and they seized the papers and minutes. Among these they found the declaration and constitution of the United Irishmen, reports from several provincial and county committees, and many other documents which afforded every information that could be required, as to what was in preparation. These papers were examined in both Houses of Parliament, and im-

\* This high-minded, enthusiastic young nobleman, misled by the democratic errors of the day, was capable of better things, had not his views been early perverted by his intercourse with France in its worst days, and by his unfortunate union with the daughter of Madame de Genlis.

mediately acted upon with vigour. A considerable accession to the military force was made, and the Insurrection Act was put in force in several counties. Fear and alarm spread over the country,—the feeble, the unprotected, were terrified; those conscious of disaffection were infuriated; informers and petty tyrants were armed with all the devices of suspicion and vindictive malice to aggravate the growing horrors of the period.

The remedy went beyond the disease in severity, and fell short in efficient vigour. It was not personal harshness, but armed resistance and repression that was now to be required. The multitude were preparing for civil war, and were to be deterred by no individual examples. The proclamation which announced the determined purpose of the Government and gave a most affecting picture of the position of the peaceful inhabitants on whom the miseries of war were inflicted, had no effect on those who plundered and murdered in the licence of the republican dream. In the northern counties, where the rebellion had spread widely and struck deep root, it was yet more easily suppressed than in the south. Prompter measures were put in practice and more disciplined troops were employed. The insurgents, called the Defenders, committed acts of great atrocity, but were ultimately put down.

But it is time to enter on a brief narrative of events in the south, to which these comments are needful preliminaries; more special details of the conduct of individual agents must be reserved for our memoirs hereafter.

There was a significant proof of the French designs upon the country in their refusal to send a smaller force than 50,000 men, and in consequence they suffered the winter to pass without any help until the Government was fully on its guard, but the rebellion could no longer be put off.

In February, 1798, a military committee was appointed by the Executive Council of the insurgents, from which instructions were issued to the leaders throughout the country. In March many parts of the country were completely in possession of the rebels and others secretly disposed to join. The town of Cahir was invested by 800 horse, who kept possession, and committed an extensive plunder of arms from private houses. This was followed during the successive months of the spring and early part of summer by similar outrages in the counties of Cork, Limerick, Tipperary, Carlow, Kildare, King's County, Queen's County, and Wicklow; in all of which, arms were taken and every kind of robbery and violence perpetrated. From these counties the gentry and loyal inhabitants of all classes were compelled to seek refuge in the garrison towns. With the usual, and perhaps in some degree inevitably slow conduct of the Government, the measures of repression came too late for precaution. A statement from the castle proclaimed that open rebellion had broken out, and directing its suppression, &c. This was directed to the commander-in-chief, Sir Ralph Abercrombie, and invested him with full powers.

The hour of infatuation, on the part of the Government, was over; vigorous demonstrations were commenced (though late), but their first effect was not quite what was expected. The insurrection had been permitted to gather force, the preparations for resistance were incomplete

and feeble, and the rebel leaders, who clearly understood their position, saw that their designs must be accomplished at once, or never. To this urgent conviction, the numerous arrests already mentioned, with their generally deterring effects upon the popular spirit, must be added. In consequence of these impressions an immediate and general insurrection was resolved on.

A plan was formed for the surprise of Dublin, the artillery at Chapelizod, the camp at Loughlinstown. On the commencement of which, a signal, by the stoppage of the mails, was to raise the counties of Wicklow, Kildare, and Dublin to co-operate. Such was the plan clearly proved in the trials of the Sheares's.\* It received demonstrative evidence at the appointed time, 23d May, when it actually broke out in Dublin, and the mails were stopped and destroyed on the northern and southern roads; the attempt was defeated by the vigilance of the Executive, but every exertion was made by the party within town to give effect to the attack expected from without.

Numerous arrests had deprived the rebels of their most reputed leaders, but an impulse, not to be recalled, went through the country, and the insurrection began. The next morning there was an attack by a considerable force on the town and gaol of Naas. The attack had been expected and the guards reinforced. The rebels were repulsed with a loss of 140 men slain and many prisoners. The troops lost 30, and two officers. Next a party of 400 rebels marched from Rathfarnham along the mountains towards Clondalkin, where they were met by a party of 35 horse under Lord Roden. Many were killed and their two leaders taken. These were tried by martial law and executed.

On the 26th, a considerable body was defeated at Tallaght Hill, and 350 slain with their leader, supposed to be a French officer.

The city of Carlow was attacked on the 21th by 1,000 rebels who attempted to seize on some pieces of artillery, but failed, being defeated by Major Dennis with one company of horse and two of infantry assisted by a few parties of volunteers. Of the rebels, 400 were killed. Some of the inhabitants having fired on the soldiers out of their windows, they were with difficulty prevented from burning part of the town. In the same manner the town of Kildare was rescued from a party of rebels, of which 200 were slain by a small force under the command of Sir James Duff.

But the chief scene of the insurrection lay in Wexford and among the hills of Wicklow. On the 25th of May the rebels appeared in a body, supposed to be 15,000 strong, in the vicinity of Wexford. A party of the North Cork militia were detached from Wexford to meet them, under the command of Lieut.-Col. Foot and Major Lombard. They met at Oulart, the rebels advancing towards Wexford. The military was too weak to resist, and the position unfavourable: after a slight resistance, they were surrounded by the rebels and cut to pieces, with the exception of the colonel and two privates, and a sergeant who mounted the major's horse. The rebels got the whole of their arms and ammunition. An incident occurred worth mentioning,—a fool, who had followed the north Cork militia, when he saw Major Lombard

\* These gentlemen were basely betrayed by a Captain Armstrong, who incited himself into their confidence. The younger was a man of much promise.

fall, rushed to the body, embraced it, then snatched up his sword and dispatched two of the insurgents before he fell himself.

On the 28th of May the rebels attacked Enniscorthy. In the course of the morning the disaffected set fire to some of their own houses in hopes of driving the garrison out of the town. The Yeomen infantry made a most gallant defence, and killed numbers of the rebels, though fired on themselves by the disloyal inhabitants from the windows of their houses, while the flames from the burning houses were so great that their hair was singed and their bear-skin caps were burned, and they could not see their enemies from the smoke, till they felt their pikes. By the efforts of those brave men the scale was at length turned, and the rebels were driven out of the town after successive attacks in other quarters, while they were repulsed and dispersed with considerable slaughter. The Yeomen and Protestant inhabitants, who only amounted to some hundreds, performed prodigies of valour; they lost about the third of their number, while the slain of the rebels is said to amount to 5,000.

General Lake returned to Dublin from Kilcullen, where he had received the unconditional submission of a body of rebels amounting to 4,000 men, who delivered up their arms and seven of their leaders. The rebellion spread rapidly in the south.

On the 29th of May the rebels formed two powerful camps, one at Vinegar-hill, near Enniscorthy, and the other between Wexford and Ross, at a place called the Three Rocks. An attack was made on the town of Carlow in the preceding week, 26th of May, in which a frightful slaughter of the rebels took place, many of them being hemmed in by the military at each end of the street, so that there was no possibility of escape.

The rebels attacked various lesser towns, and were generally defeated; but they were often successful in cutting off bodies of troops coming to the relief of towns likely to be attacked.

From those successes, and from their increasing numbers, said to amount to 20,000, and about to attack Wexford, the inhabitants were panic-struck, and the military being few in number, and finding that many of their supposed adherents were ready to betray them, thought their best course was to save useless bloodshed and evacuate the town. The rebels entered it on the 30th of May, and kept possession of it until the 21st of June.

The prisons were opened and their inmates set free,—among whom was Mr. B. Baganal Harvey, who was placed in command of the rebels.

It may be right here to state, in justice to the loyal Roman Catholics, that a numerous signed address was forwarded to the Lord-Lieutenant expressive of their devoted loyalty to the king and of their abhorrence of the atrocities committed by the deluded members of their communion. Lord Fingall's consistent loyalty made him obnoxious to many of the opposite party, and at one time his personal safety became endangered.

On the 5th of June the rebels attacked New Ross, having the day before taken possession of Corbet-hill, a place close to the town, and having an army of 20,000 men. In the commencement of the attack they were victorious, and, to add to the confusion of the defenders of



the town, they drove in large herds of cattle, which rushed promiscuously on all sides and impeded the military, so as to make any systematic defence impossible, and by which some cannon fell into the hands of the enemy. At length, after nine hours' fighting without intermission, the insurgents were completely routed, and with considerable loss. They had succeeded in setting fire to some thatched cabins; but this turned to their own hurt, for, the wind blowing in their direction, they were quickly enveloped in the smoke, and having drank copiously of whisky before they left Corbet-hill, they were unable to fight for their lives.

B. Baganal Harvey was deposed from the command, and he was succeeded by a person of the name of Roach. Lord Mountjoy was unfortunately killed in this engagement. The good fortune of the day turned upon the heroism and valour of General Johnson. He had two horses killed under him, and was thought to be killed himself, but, mounting a third, he unexpectedly appeared amongst his soldiers, who, in the enthusiasm of the moment, said they would follow him to victory or death, and kept their word. The slaughter of the insurgents was very great, and they lost both cannon and an immensity of pikes and muskets, besides their standards and colours.

It was on their retreat from New Ross that they perpetrated one of the most atrocious acts recorded during a rebellion in which the greatest atrocities were committed upon both sides. It was the setting fire to a barn at Scullabogue, in which 170 Protestants had taken refuge. It was said that they were instigated to the act by a priest of the name of Murphy, notorious for the barbarities he both committed and sanctioned. One man from among these doomed victims, of the name of Orange, was saved through the instrumentality of another priest who had received kindness from this man or his family. This saved individual has only recently died.

After an ineffectual assault on Arklow, the rebels, to the number of 20,000, took up a strong position in the neighbourhood of Enniscorthy, on Vinegar Hill. By this time a strong military force had been assembled against them, under General Lake. A cordon of troops was posted round the rebel position; and after a few days' delay, on the 21st of June the attack was commenced. It appeared more arduous than it really was,—and it has been observed by one of our chief authorities, that had the rebels “possessed any share of military skill, it would have been difficult, if not impracticable, to dislodge them.” They were attacked on four sides. The town of Enniscorthy, on the base of the hill, which was in their occupation, was attacked by Johnson; while Dundas leading the centre, and Duff and Needham on the right and left, ascended the hill in their respective directions. For an hour and a half the rebels maintained their position. On perceiving themselves to be in danger of being surrounded, they gave way, and fled in great disorder, and with great carnage, in their precipitate downhill flight. Of the British, about 100 were slain or wounded. The rebels soon dispersed through Wexford, among the mountains of Wicklow, and in the bordering county of Carlow.

While these and other similar transactions were in simultaneous progress, the rebels had still retained possession of the provincial city of Wexford. Their conduct, while they held this place, may best serve



to give a true character of the spirit of the Rebellion, and of those who were its promoters and actors. Amongst the atrocities committed by the rebels were the following :—In Kildare they put Mr. Crawford, a Protestant gentleman, to death, by running a pike up his body, which nearly reached his throat, and then roasted him before a large fire ; one of his young children they treated in the same manner. Near Ennis-corthy they seized a Protestant clergyman of respectability, stripped him, and put him into a pig trough and bled him to death ; after which they danced round him, and washed their feet in his blood. These are some of the fruits of a rebellion, which many of our pseudo-patriots would wantonly excite.

After numerous atrocities, perpetrated with wanton malice on the persons of individuals of every rank, age, and sex, for no other pretext than their religious profession, we must detail some of those committed in Wexford. An account was received in the provincial town, on the 26th of May, that the rebels were on their march within 12 miles. The report struck dismay to every heart and home ; all who had wife or child,—who possessed substance to be pillaged, or honour to be outraged—felt the terrible anticipation of horrors to come. A feeble garrison gave no sense of protection ; but, rather, by their anxious watch during the previous night, gave confirmation to the prevailing terror.

When the report spread that the rebels were burning the houses of the Protestant families through the country, all the neighbouring families came flocking into the town, with their portable property. With these the Protestant inhabitants of the town crowded into the shipping in the harbour. The vessels were quickly filled, while crowds of trembling fugitives were yet pouring in, and finding no shelter ; for the houses were now being set on fire. On seeing this, the vessels put out, and stood towards the mouth of the harbour. Before long they were signalled by a white flag that the rebels were partly in possession of the town. Then a council was held by the feeble garrison, and it was resolved that they could not defend it. Two gentlemen, Mr. Richards, a lawyer, and the Mayor, were authorized to surrender the town to the rebels, and save the lives of the inhabitants. To this stipulation the rebels agreed. On this the soldiers were allowed to escape unmolested, and were accompanied by all the unmarried yeomen to Duncannon Fort where they found refuge.

The signal from the town was immediately answered by the vessels, notwithstanding the entreaty of their fugitive suppliants. They at once stood in for the quay, and landed the trembling crowd, who were, without intermission, handed over to the mercy of the disorderly rabble, which thronged the streets, many of whom were drunk. The greater part of these ruffians were in the dress of labourers, with green cockades and white ribbons round their hats. The houses of the principal inhabitants were presently attacked,—the Custom House, the houses of the Collector, of Captain Boyd, and of the Rev. Mr. Miller,—and were stripped to bare walls.

We shall now return to the narrator of these events, and give, as a faithful specimen of the greater part of these occurrences, the personal narrative of his own adventures. Having described his compulsory land-

ing on the quay, he proceeds:— Following closely the horse of my conductor, I passed safe, with my wife and child, through this terrible scene, to my house. I gave him my musket, and he rode off. My wife lay down on the bed, and I crept under it,—thinking to hide myself in case I should be sought after. I had not been in this situation more than ten minutes, when I heard my name called, and a sound of feet on the stairs. Presently the door opened, and one Patrick Murphy, with six others, all armed, came into the room. This Murphy was a near neighbour of mine, and had always professed a great regard for me. My wife, on seeing him, threw herself off the bed with the child in her arms, and fell on her knees, entreating them to spare me. One of them swore if she did not say where I was, he would blow her brains out. On hearing this, from fear of her being injured, I showed myself, and was immediately seized and dragged down stairs. I was conducted to the barracks, and put into a room with eight others, all expecting soon to be put to death. After remaining in this situation about an hour, one of the rebels, armed with an old bayonet on the end of a pole, made a thrust at my throat; but it was prevented from entering by a thick cushion under my cravat. He then wounded me slightly below my hip. At that moment Councillor Richards (who had been obliged to join the rebels to save his own life), came into the room with Mr. B. Harvey, and seeing the state I was in, requested him to save me; which he did by taking me out with him, to a Mr. Hughes, at the Foley. I went up a back staircase, and got into a small room at the top of the house. Soon my pursuers came into the room; but I was concealed in a cupboard, and for that time escaped their fury. Thus disappointed, I heard them propose to set fire to the house; but this was overruled. In that situation I continued till ten o'clock at night; I then ventured out, and got over the rocks to a place called Maudlintown, near a mile from Wexford, to the house of an old woman of the name of Cole, whom I thought I could trust, and begged her in the most earnest manner that she would permit me to remain concealed there till affairs were a little settled. She told me she would, as long as she could without danger to herself, and that she would go into the town and see how matters went; which she accordingly did, and returned, saying that the insurgents were searching all the houses for Protestants, and committing them to gaol; and if I should be found there, they would kill her, and burn the house. I got out at her back door, and went about two miles across the country, but soon heard voices behind me calling on me to stop and I should have mercy. I turned round and saw six men advancing with pikes in their hands. They seized me and conducted me back to Wexford and put me into gaol, in which I found about two hundred and twenty Protestants.

“Towards the evening, a fellow of the name of Dick Monk, who had formerly been a shoeblack in the town, but now was raised by the rebels to the rank of a captain, came into the gaol and bid us prepare our souls for death, for that all of us, except such as, upon examination, he should release, would be put to death at twelve o'clock that night. The manner of his examining was two-fold: first politically, and then religiously. The form of his political examination was this:—Query, ‘Are you straight? Answer, As straight as a rush. Q. Go on then.

A. In truth, in unity, and in liberty. Q. What have you got in your hand? A. A green bough. Q. Where did it first grow? A. In America. Q. Where did it bud? A. In France. Q. Where are you going to plant it? A. In the crown of Great Britain.' The preceding questions and answers appear to have been a part of the *United Irishmen's* catechism by which they knew each other.

"Monk, having gone through this examination, selected six to be saved, and took them with him out of the prison; and the situation of those that remained can better be imagined than described. No one, however, came near us that night. Next morning we were brought some potatoes and water, which proved a seasonable relief.

"On June the 4th, the gaoler came in and took us into the yard. As soon as I came out he said, 'Mr. Jackson, I believe you know what we want of you.' I answered, 'yes, I suppose I am going to die.' I then fell upon my knees, begging, that if that were the case, I might be allowed to see my wife and child. He swore that I should not, that I was not then going to die, but that a man was to die at six o'clock that evening, and that he did not know any more proper person to execute him than me and two others. We were then carried back to our cells, and spent the day in prayer till six o'clock, at which time, being brought to the great door, we found the prisoner, Murphy, with nearly 1,000 men about him. The dead march was struck up and beat from the gaol to the place of execution, which was a mile and a half off, on the other side of the bridge on a wide strand. An order was then given to form a half circle with an opening to the water. The poor man was directed to kneel down, with his back to the water and his face to us, which he did, with his hands clasped. The muskets were then called for. The first appointed to fire was one Matthews; and it was remarkable, the ball missed three times. A common sporting gun was then brought and fired by Matthews, and the ball hit the poor man in the arm. I was next called upon, and two men advanced, one on each side of me, and held cocked pistols to my head; two also stood behind me with cavalry swords, threatening me with instant death if I missed the mark. I fired, and the poor man fell dead. When it was over, a proposal was made that I should wash my hands in his blood, but this was overruled; and they said, as I had done my business well I should go back.

"On June the 20th we heard a horrid noise at the gaol, and a demand for the prisoners. Eighteen or twenty were immediately taken out, and in about half an hour the rebels returned for more victims. In the whole, they took ninety-eight. Those that were last called out were seventeen in number. Mr. Daniel and Mr. Robinson, both gaugers; Mr. Atkinson, a tide-waiter; Matthews and Gurley, who were with me at the execution of Murphy, and myself, were included in this lot. We were marched to the bridge. The blood of those who had been already executed upon this spot (eighty-one in number), had more than stained, it streamed upon the ground about us. They first began the bloody tragedy by taking out Mr. Daniel, who, the moment he was touched with their pikes sprang over the battlements of the bridge into the water, where he was shot. Mr. Robinson was the next, he was piked to death. They ripped open the belly of poor Mr. Atkinson,

and in that condition he ran several yards, when falling on the side of the bridge, he was piked; thus they proceeded till they came to Gurley, who was next to me. While they were torturing him General Roach rode up in great haste and bid them beat to arms, informing them that Vinegar Hill was beset, and that reinforcements were wanting. This operated like lightning upon them; they all instantly quitted the bridge, and left Mr. O'Connor, an organist, Mr. Hamilton, the Bailiff of the town, and myself, on our knees. The rebel guard soon came to us and took us back to the gaol, which we entered with hearts overflowing with gratitude to the Great Creator for our late wonderful preservation. For the arrival of the troops we looked with some hope and extreme anxiety the whole night, till about five o'clock in the morning, when we heard the joyful sound of cannon. Soon after the king's troops entered the town and put an end to this scene of barbarity.\*

We must pass more lightly over the lesser details of the rebellion in this quarter, simply adding the fate of the leaders, Mr. Baganal Harvey and Mr. Colelough, who, with Mr. Grogan, took refuge in a cave on one of the Saltee Islands near the entrance of Wexford harbour. Here they were soon discovered, and brought to trial and executed, and their estates confiscated. These events may be said to have crushed the rebellion in Leinster. In the northern counties it was less violent and of comparatively less duration. Though in Armagh the same delusions reigned for a season, they were soon dispelled by the general sobriety of the people. The cruelties inflicted on the Protestants in Leinster by Romish inhabitants, exposed too plainly their intentions respecting them, nor were these designs unaccompanied by many express declarations. The spirit of disloyalty was soon extinguished in Ulster, where it had fewer converts, and those less tainted by fanaticism. The extirpation of Protestants was foremost among the sanguinary announcements of the Dublin, Wexford, and Wicklow rebels in the confidence of their strength; and though in this they were discountenanced by their aristocracy, and partially by their priests, yet among these latter there was not wanting the tacit consent of a general understanding, confirmed by numerous instances of priestly leading. From such we abstain; it is not on such a charge that we would at this time impeach the Roman priesthood.

By the Insurrection Act, the magistrates of any county were authorized to proclaim it out of the King's Peace, by which it became subject to military law, but it was not generally acted upon until the month of November, during which interval fearful atrocities had been committed.

There was at this time a regularly established communication with the French Directory, and in the summer of 1797, in consequence of a special message from that body, Dr. McNevin had been sent to Paris to consult for a new invasion of Ireland. He came with full powers for the final adjustment of the expedition. Instead of Bantry Bay, the port of the former venture, he advised that the expedition should sail for Oyster Haven, a more convenient locality for the reduction of Cork. McNevin undertook that the cost of the expedition should be defrayed by the Irish Republic. It was urged on the French Directory that the

\* Collectanea Politica, page 340.



separation from England should be insisted upon as a preliminary of peace. Mc'Nevin was authorized to negotiate a loan of half a million on the credit of the Republic. He represented, in a memorial to the Directory, that 150,000 men were united and organized in Ulster alone.

When it was ascertained that the French fleet had left the port of Brest, Sept. 17, a despatch was sent with notice to Commodore Sir John Borlase Warren, in command of the *Canada*, a 74 gun ship, and of the *Foudroyant* of 80. While on the look-out Sir John was joined in succession by six frigates. At noon, on the 12th, the French squadron which came in sight at a great distance, was made out to consist of one 74 and 8 frigates, to windward, bearing to the north-east. The British ships gave chase, but they lay scattered over a hollow sea, and got on with slow progress. Next day the wind fell, and the enemy was again sighted on the north-east. They now soon bore down and formed a close line on the starboard tack. The British vessels were signalled to take close order on the same tack, and form as they came up. Such was the position of the hostile squadrons when the fight began by three foremost British frigates opening a warm cannonade on the *Hoche*, which was supported by two frigates, but soon crippled and compelled, after a brave defence, to lower her colours. The other ships having all sustained enough of damage to indicate the chances of the fight, and seen the 74 and another ship in possession of the British, bore away for the French coast, and were pursued by the disengaged ships and frigates.

It does not belong to our historical sketch to enter on the narrative of the separate fates of the fugitive vessels. We may refer the curious reader to "James's Naval History"\* for an interesting account of these several adventures. It will be enough here to say they were all separately overtaken and captured, after gallant resistance, in single combat with their pursuers. We may add, that on board of the *Loire*, a gun frigate, was found complete clothing for 3,000 men, with muskets, sabres, cartridges, and ammunition. Tone, with three other Irishmen, were on board the *Hoche*; he took an active part in the attack, exposing himself to the British fire, as if all depended upon that day's success, while he was too sagacious not to see the utter hopelessness of the attempt. After valiant fighting on both sides the *Hoche* surrendered, and all on board were taken prisoners. Tone, in the garb of a French officer, was not at first recognised, but being invited to breakfast by the Earl of Cavan, the Lord-lieutenant of the county, a former acquaintance present, knew him at once, and addressed him by name. He was of course arrested, and sent to Dublin. We may refer to his memoir for what befell him there.

We must, as briefly as we may, close this tragic tale of carnage and atrocity, with the fate of the most notorious of its accessories and victims.

There were arrests of several of the conspirators at the first discovery of the conspiracy. These persons had as yet committed no overt act of rebellion; and though clearly exposed to conviction of treasonable conspiracy, were, under the circumstances, considered fair objects of a treaty at the same time politic and merciful. The vindic-

\* Vol. ii. p. 227



tive ministry of the criminal law was thought to have done enough for example, and the members of the executive, while they shrank from the crowded repetitions of judicial slaughter thus imposed, saw that the dreadful necessity might happily be averted by a compromise of a serviceable kind. It was therefore now proposed to spare the lives of Bond, Neilson, Dr. McNevin, Addis Emmet, and Arthur O'Connor, on condition of their giving all the information in their power; to which they all agreed, stipulating for permission to leave the kingdom, and also that they should not be required to compromise any individual. The information thus received was printed: it contained, among other statements, that the main intent of the leaders of the Rebellion was not the apparent one of emancipating the Papists by whose agency they aimed to succeed; but that it was their final object, when they should gain the mastery, to separate the kingdom from the British Crown, put down the landlords, and all churches, and erect a republic. These gentlemen, on being liberated, published a manifesto exciting the people to farther resistance. Mr. Plunket, then practising at the Irish bar, and a member of Parliament, spoke with just indignation of the ingratitude of persons who were, as he said, "singular instances of mercy," and urged, "that every step should be taken to prevent these State prisoners from corrupting the public mind."<sup>\*</sup>

The principal victims who suffered the penalty of their guilt may be more particularly noticed hereafter. They were Messrs. John and Henry Sheares, McCann, W. M. Byrne-Jackson, who died from poison when brought up to receive his sentence. Their fate and trials spread dismay over the whole kingdom, and for a few years cleared the stage for other actors in a more peaceful drama.

These tragic events were to be the means, under Providence, of placing this unsettled country for the next half century under the shelter of constitutional law, by the union of its destinies with England, that land of perfect freedom and true religion,—by the legislative union of the two kingdoms.

Through the whole of this sanguinary contest, it is memorable that the promised aid from France never appeared. Had the expeditions from Toulon and the Dutch port sailed, and the force under Humbert landed a month sooner, while the improvidence of the administration neglected the means of defence, the destruction would have been wide-spread; and though we cannot agree with those who have imagined that the country must have been lost, there can be little reasonable doubt of a grievous slaughter among the imperfectly armed and undisciplined troops which were only strong for the rabble army of Wexford and Wicklow.

Providentially, the first fanatic activity of the French revolutionary zeal for propagating its doctrines was at this time somewhat subsided, and as its field of enterprise expanded, its power of attending to minor interests was contracted. A direct invasion of England soon became a favourite fancy of the ambitious man who wielded the destinies of France, and controlled the progress of the Revolution. To attack England by the subjugation of Ireland was still too obvious and seemingly easy an expedient to be quite thrown away, when it offered itself

<sup>\*</sup> Life and Speeches of Lord Plunket, by his Grandson, page 94.

to the yoke. We may thus sum the aid sent. A large fleet had been, within recent memory, lost to France—another trial seems to have been doubtfully ventured. A small army, said to be part of a large one, landed at Killala, under General Humbert, in August. They were joined by the Romish peasantry in many thousands. They, however, conducted themselves peaceably and with great order, making headquarters of Bishop Stock's palace, in which they received all hospitable treatment, and committed no violence. They posted a green flag over the Bishop's gate, with the inscription, "Erin go bragh."

From Killala they marched, after some days, to Castlebar, their force amounting to 1,100, with a large body of Irish, whom they clothed and armed. At Castlebar the English garrison retreated, under the mistaken notion caused by the appearance of superior forces,—their Irish allies, whom they had dressed in French clothing, seeming to be Frenchmen at a distance. With this discouragement the soldiers of Lake, when attacked on the 27th, gave way and retired, leaving six pieces of cannon and a few men. Humbert next directed his march towards Tuam; but he presently found that his route was likely to be intercepted by a strong force under Lord Cornwallis, who menaced his front not far from Castlebar. Humbert, on this, made a circuitous retreat, to favour the escape of the Irish, whom he had found more an impediment than a help. But at Ballinamuck his rearguard was overtaken, early on the morning of the 8th of September, by a division of Lake's army under General Crawford, by whom they were summoned to surrender. On refusal they were attacked. On this 200 of the French, thinking themselves unsupported, threw down their arms; but, finding their mistake, presently recovered and fired on the British officers, who were approaching on the assumption of a surrender,—by which the General was wounded. On this General Lake ordered up reinforcements, and a fight began, which lasted but half an hour, when, the rest of the British force coming into sight, the French surrendered. The rebels, who were scattered in all directions, were pursued, and suffered severely. The French prisoners amounted to 884; 93 of the rebels were taken, with three of their leaders.

It was reported that, after the previous fight in Castlebar, Humbert caused three of the Irish to be hanged for plundering; and that one who attempted to massacre a prisoner was cut down by the French.

The report of Humbert's failure does not appear to have made any serious impression in France. Eight days after this fight at Ballinamuck a French brig appeared off the coast of Donegal. Amongst others, it contained General Rey and Napper Tandy. It is manifest that they came in the expectation to find the former party established in full possession of the country. On learning the reality they were much disconcerted; and finding the people little inclined for any further trial of their strength, they re-embarked.

During the progress of the rebellion, and even after its termination, strong measures were found necessary for the purpose not only of showing the deluded populace the hopelessness of their cause, but also the inevitable retribution which must follow upon the atrocities planned and perpetrated under the abused name of patriotism.

The loss of life on the side of the insurgents has been said to amount

to 30,000, and this was in itself a stern fact that needed no comment, and must have been brought home to the hearts of thousands.

The English Government, therefore, wished to relax somewhat of its rigour, while it was at the same time considered desirable that a military man should continue at the head of affairs in Ireland.

The Marquis of Cornwallis, who had succeeded Lord Camden in June as Lord-Lieutenant, sent a message by Lord Castlereagh to the House of Commons, saying that he had received His Majesty's commands to offer "a free pardon for all offences committed on or before a certain day, upon such conditions, and with such exceptions, as might be compatible with the general safety;" but adding, that "these offers of mercy to the repentant were not to exclude measures of rigour against the obstinate."

The system of moderation and mercy pursued at this period was attended with the happiest results. A Bill of general amnesty was passed in that session, with the exception of Napper Tandy and about thirty more, who had been deeply involved in the rebellion, and had fled to France.

The crisis was now approaching, and, as is ever the case in conspiracies of any extent, there will be persons found who, either from high and conscientious motives, or from the basest imaginable, will reveal the secrets of the plot and put the government on its guard. It is possible to suppose a young and ardent mind, devoid of sound judgment and inflamed with an imaginative love of country, forgetful of what would tend to its solid good, being led into a conspiracy by the specious representations of its wily plotters, and recoiling from the sanguinary means by which it is to be accomplished. In such a case, not a common one, there can be no doubt but that the implied and expected fidelity would be "more honoured in the breach than the observance."

We are not made aware of the exact motives which impelled Mr. Reynolds, a sworn United Irishman, and formerly a silk-mercier in Dublin, to make a revelation, early in the year, to Mr. Cope, with whom he had some pecuniary transactions, of the formidable preparations which were then in progress for the approaching outbreak. He revealed the proposed meeting of some of the leading conspirators at the house of a Mr. Oliver Bond on the 12th of March 1798, and Mr. Cope communicated this fact to the Government, and on the appointed day the house was surrounded, and fourteen of the conspirators were apprehended, including Dr. McNevin, Counsellor Emmet, and their secretary, Mr. McCan.

Mr. Bond died in prison, and Mr. McCan was executed; but the others, as before stated, made a compact with Government (proposed by themselves) that they would give the most ample details of every circumstance connected with the rebellion that did not involve individual breach of faith, on condition of their own lives being spared, and their being permitted to leave the country. Though in many respects high-minded gentlemen, they were amongst those who lent themselves to the delusion that political dishonesty was not inconsistent with personal honour. They planned amongst themselves to give, in many instances, a garbled account to the Government, though in the main

features they had to adhere to truth; and they afterwards printed a pamphlet giving a highly coloured view of the statements they had made, and of their own unaltered opinions, and endeavoured, as far as in them lay, to sow the seeds of continued sedition; yet they had the effrontery to complain that the Government did not fulfil their part of the compact to the letter, because they were not at once liberated, after showing how unfit they were to be turned loose upon society, with France still threatening our coasts. They were removed to Fort George, where every lenity was shown them, and where they became better and wiser men, as was made evident by their subsequent history. On being ultimately liberated they removed to America, where they obtained both position and character.

The next thread of Ireland's tangled history is a many-coloured one,—that involving the union with Great Britain, which, however beneficial it may have been in many respects, was yet carried undoubtedly by bribery and corruption. It must be the subject of another chapter.

## CHAPTER IV.

### THE UNION.

Arguments for and against Union—Alliance contracted between Irish Priests and English Liberals—Consummation of it in Catholic Emancipation—Resulting inconsistency—Impossibility of two independent legislatures—Scotch precedent for Union—The necessity for unification of the empire proved by the Rebellion—Roman Catholics consent to the abolition of a Protestant parliament—Late repentance—Pitt's resolve—Startling opposition—Manner of overcoming it—The measure passes—Principal provisions—Compact with Catholics—They do not receive the price.

THE nineteenth century opens upon our history with considerable changes in the social and political constitution of Ireland. The Legislative Union, carried after much opposition, was the beginning of a long succession of party struggles, still accompanied by the slow progress of improvement in national industry, manners, and general civilization.

This great national measure was the result of many less fortunate and less honourable causes; the restless disaffection of the people—worked upon by demagogues and plotting incendiaries, the intrigues and divisions of party leaders, and the turbulence and venality of the lower House of Parliament in the later stages of its existence. It fell by its degeneracy. The Union was carried chiefly by the corruption of its members. With this, it is true, it had lost the high and noble character gained by its conduct in '82, and nineteen counties joined in petitioning for the Union.

There existed a strong national feeling against the proposed measure: to the recollection of the services of the parliaments of the former period, under the influence of Grattan and his truly patriotic allies in the day of the Volunteers—in the sense of national pride which revolted from the imagined reproach of inferiority and dependence in the transfer of civil power—more real and serious objections added their weight; it was felt that with the Parliament, the wealth and influence of the Irish aristocracy should be transferred to the



dominant country, and the land, thus deprived of their countenance and expenditure, suffer the extremes consequent on neglect and desertion ;—that the many commercial interests still at issue between the two countries would be more decidedly governed according to the known jealousy of English merchants.

On the other hand, it had become matter of experience during several recent Parliaments, that the difficulties of conducting the administration of Government were becoming formidably increased by the wilful insubordination and irritable factious partizanship of the Commons. To those who could look with sober judgment on the operation of political causes, many prospective advantages were discerned from a Union which, while it would strengthen and facilitate the working of both, must impart ultimately to the less favoured country many of the advantages of the more privileged one.

The intrigue and the venality by means of which the Union was effected, in opposition to so much national prejudice and the earnest remonstrance of the most influential of those who were the great leaders of popular opinion, manifest the want of public virtue, and prove the thorough corruptness of a House of Commons that could so soon be won by title, place, and pension, as to vote its own extinction.

It is the truest vindication of the political sagacity, or, at least, of the principle, of those eminent persons who resisted the Union, that its main advantages to Ireland were not likely to be immediate, but, in a great measure, remotely prospective; while, at the same time, the apprehended disadvantages and evil results lay on the surface,—and if they cannot justly be said to have actually come to pass, they were to all appearance not improbable. If these dreaded consequences had actually followed, they could hardly be compensated by any immediate benefit that followed from the Union. It was then feared that the effects of this measure would amount to what has since been termed centralization of the entire constitutional functions—administrative or commercial, or social or territorial—in the English Government; thus leaving a country such as Ireland then was entirely at the mercy of English interests. It may not now, in discussing this question, be sufficiently called to mind what Ireland truly was. A surface of (perhaps) bright civilization, overlying a dark depth of ignorance, disaffection, and superstition. There was no reacting power of a constitutional nature; but there was a smouldering depth of national hate—a fierce remembrance of ancient wrongs—a slavish devotion to an alien domination. To remove from the scene all the elements and influences of a nascent civilization, was to those who, not unreasonably, entertained such an apprehension, alarming enough. In looking upon the Union on this more general principle, it was not difficult to apprehend that some considerable approach to equality in the condition of the two peoples should be first attained before a concentrated government would be advantageous to both. It seemed plain that the weaker would become subject, in a degree, to the stronger; and to this the national pride of a country tenacious of its ancestral traditions would not submit. Many of the benefits expected from the Union were yet far off, and many of the evils soon set in. There was still rebellion—followed long by agrarian disturbances—political and sectarian agitation, and a long period



during which the Government of the country could only be carried on by concessions fatally reacting upon the Constitution of England.

To attain the genuine advantages of the Union, it was necessary that a new proprietary should grow up—that there should arise a civilized middle-class, on a more extended scale; that the people should cease to be in a state of barbarism; and that, instead of an abnormal jurisdiction, vibrating between laxity and despotic severity, there should be a strong unswerving administration of justice and government.

The space at our command in this present abridged recast of our history does not permit of much detail on the separate provisions of the Act of Union. They were perhaps correct to the utmost length compatible with the relative condition of the two countries,—little fitted by manners, habits, industry, commerce, civil or fiscal constitutions, to form an integral nationality. The frameworks of either were mutually unadapted, and the completion of the measure was remitted to future legislation.

These defects were much aggravated by the continuation of animosities and national prejudices beyond the reach of Acts of Parliament to remove: the apocryphal traditions of remote antiquity, shaped for the purpose of those whose object it was to create popular discontent; the differences of religion, acknowledging each a different allegiance and worship; but still more by the principle of democratic insubordination which had its rise in the French and American Revolutions of the preceding years, and which cast its shadow over the civilized world, and spread disintegrating influences of which the end yet remains to be seen. Of these counteractions the effect was soon apparent. From the very beginning of the union of the two kingdoms, the work of discord began. Occasion soon offered for the promotion of factious animosity, mostly beginning in the private views of demagogues, but finding pretext in the assumption of popular wrongs or national grievances. With all its political seemings of advantage to both kingdoms, the Union was destined to be the means of giving vast development and activity to the numerous elements of disorder with which they abounded. The discontents which more or less found place in every class of Irishmen found congenial complaints and factious fellow-working on the other side of the channel. The Roman Catholics, apparently contented with the privileges conferred upon them in 1793, when they were admitted to the parliamentary franchise, and the most galling disabilities were removed, now had their eyes turned to the prospect of further advantages to be gained by an increasing political power. Such had been the immemorial policy of the see of Rome.—The Romish priesthood in Ireland had long been reduced to inactivity by the conscious weakness of their party. Shortly after the Union, however, a new activity seized upon the mind of the educated classes, and soon the party conflict which had been waged for and against the Union rose into a still fiercer agitation for a further extension of its advantages. The priests and demagogues of the Roman Catholic party combined in agitating for what they called Emancipation. As they advanced toward their objects, they swelled the democratic body, and gave new force and virulence to its power. Through all these stormy workings, some tendencies grew more apparent to

popularize the Legislature and subvert the Established Church. Both objects were favoured by the junction of the several parties we have here glanced at.

The first contest of this period, from which all drew their main effect, was Catholic Emancipation, of which it will be here enough to say, that it threw open the gate of the Legislature to the Roman Catholics, and, through them, to the democracy of all the counties of Britain.

It may not be foreign to the main purpose of this introduction to observe, that at the same time with the events related in the latter pages of our former introduction, those momentous changes were setting in from which the entire social and political aspect of the United Kingdom in the following period was to take its character. To this, as we have shown, the revolutionary notions which became popular, and had their origin, as before stated, in France and America, during the previous century, entered largely into every popular discontent, and gave a language to every stump orator. And as from this period our common interest in the fortunes of the United Kingdom has its beginning, we may cursorily trace the joint results—a course the more consistent with our contracting space.

The first great advance of liberalism was due to the admission of the Roman Catholics to political power. It added formidable weight to the democratic element introduced by the Reform Bill of 1832, and thus favoured the Roman policy for the subversion of the Church. The arrogant pretensions of the demagogue grew with the sense of power,—speculation made bolder advances, and bade defiance to every stronghold of conscience or maxim venerated by mankind.

The popular party in Ireland gathered strength and violence from the gradual junction of English discontents and factious movements. A fatal error committed by the Government had the effect of promoting and seriously aggravating this evil progress. It was thought that the people might be governed by concession—a method which to the ignorant conveyed the impression of fear on the part of Government, and gave what seemed to be victory to the cause of a faction, and to their leaders a motive for fresh exaction. Honourable epithets were not wanting to repay the demagogue for his exertions—cheers of the rabble glorified the spouting rhetorician of the street, or the Forum, or the Palace yard. In course of time he became formidable, or was thought worth bribing with office; or (as happened in a notorious instance) was compensated by a voluntary self-imposed taxation of a duped populace.

Thus the main causes of the popular clamour in Ireland which soon followed the Union became augmented by the voice of the democratic party in England, and that remarkable alliance commenced which has lasted up to the present time, of the ultra Protestant dissenters of the one country with the ultra Roman Catholics of the other. That alliance begun in Ireland, was soon extended to England, and has ever since been growing influential in proportion as the powers between whom it was established have gained political strength. Each party, though diametrically opposite in their aspirations for the future, has helped the other to obtain its objects; thus giving to the liberal legislation of the last half-century a character of curious inconsistency.

The right hand of the liberal party has not known what its left hand has done; with one it has proposed to give ascendancy to ultramontanism, while with the other admitting Jews and infidels to the parliament of a Christian country, and gradually removing from common life the sanction of religion. This immoral alliance has been that of light (so called) and darkness, and a double inroad has been made upon the institutions of the country.

We must now, in the brief space which the arrangement of our history will permit, take a brief retrospect of the state of affairs, and notice the various influences which led to the Union, and the manner in which that measure was accomplished by ministers. It was an age of parliamentary corruption. In the English parliament, Government was able to purchase a majority (as in 1763), and the king himself spent a considerable sum from his private purse in securing votes in the House of Commons. Ireland was ruled by an assembly still more corruptible, in which almost every man had his price, the average value of a vote being £200. The whole Government of Ireland was a mass of jobbery and corruption, and the concentration of this was to be found in the national parliament. Springing altogether out of close boroughs and counties, the representation of which was frequently sold like the advowsons of livings, and in which freedom of election had not yet been conceived of, it was worthy of the constituency it represented; and its rottenness, which was incurable, afforded both an argument for its abolition and a means of effecting it. An assembly that had habituated itself to selling the interests of the country it pretended to represent at last bartered away its own existence. But on the other hand, the extreme corruption of the Irish parliament, and the facility which it afforded ministers of passing their measures, for a while protected it from the fate that the nominal independence gained in 1782 rendered inevitable. So long as it was merely the echo of the Parliament sitting at Westminster repeating its decisions, a subservient shadow to follow it in all its motions, it would still have been possible, had no other events intervened, for the Irish parliament to have protracted its existence. But the moment it should have availed itself of the independence procured for it by the bayonets of the volunteers, the choice would have lain between reshackling it with Poyning's law and the act of George the First, or an unconstitutional suppression,—a *coup d'état*. Before, however, it had shown a tendency to insubordination; before it had time to purge itself of its corruptness, if it ever could have done so, and exercise the independence with which it had been fatally gifted in a manner inconsistent with the policy of England, affairs in Ireland assumed such a complexion as determined ministers to anticipate the unconstitutional mode which it might have been necessary to adopt at a later period, by inducing the Irish parliament to vote for a union with the parliament of Great Britain, and thus avoid a more ignominious end, and save the national dignity, by voting itself out of existence. The Union was, in the nature of things, inevitable; but whether it was an inevitable evil or an inevitable good is a distinct question to which we have already devoted some consideration, our conclusion being that the immediate consequences of it were prejudicial to Ireland, while the ultimate ad-

vantages promised to us have not as yet been realized. It is sometimes necessary, however, to sacrifice the interests of a province to the interests of an empire; the policy which is beneficial to the whole is generally injurious to some of the parts. The weak must always be sacrificed to the strong; and being in the nature of things, it can scarcely be called an injustice that it should so happen.

The existence of an obvious precedent in the union of the parliament of Scotland with that of England must have made it evident to any one who regarded the question historically, that sooner or later Ireland must submit to the same fate. The fact that Scotland had placed her king over England, and had, it might almost be said, annexed the latter country, saved Scotch pride, but did not render the precedent less conclusive with regard to the Irish Parliament. Vast and unforeseen changes made it necessary to act on the precedent, almost with abruptness, and precipitated the slow progress of history. Those changes we have already reviewed, but have now to show their bearing on the question of the Union. The Roman Catholic Relief Act of 1793, while it was regarded by some of the most patriotic, as for instance the Earl of Charlemont, as having gone too far, instead of satisfying those whose chains it loosened, gave them a desire to be entirely rid of them. The professional demagogues and promoters of sedition were alarmed lest an extension of the measures already adopted should pacify the country and spoil their trade. Accordingly the United Irishmen hastened on their schemes of invasion, and redoubled their efforts to excite animosity to England, while, on the other hand, the Government of the Duke of Portland commissioned Grattan to draw out a bill of Catholic Emancipation, and Earl Fitzwilliam, as Lord-lieutenant, was sent over to Ireland to carry it. The hopes of the Irish nation were raised to the highest, when suddenly Fitzwilliam was recalled by the desire of the King, to whom a political enemy, Chancellor Fitzgibbon, through the English Chancellor Loughborough, had suggested the incompatibility of the proposed measure with his coronation oath. Lord Camden was appointed Lord Fitzwilliam's successor to oppose the progress of the bill of which the Government was itself promoter, and it was accordingly thrown out upon the second reading. The folly of the fitful policy by which Ireland has always been governed received in this perhaps its highest exemplification. The Government voluntarily offered a boon to the Roman Catholics, for which there had not been at the moment any extreme or pressing demand, and which might have been withheld without danger to the country, and then withdrew it apparently from mere caprice, the influence which caused its withdrawal not being of a nature to appear on the face of the transaction. The natural consequence was, that the latent discontents which had been felt by the Roman Catholics were roused into a furious storm of rage and disappointment; and the attempt to take the wind from the sails of the United Irishmen (an operation that generally results in the discomfiture of those by whom it is attempted), had the effect of bearing them to their destination with unhopèd-for celerity. Grattan withdrew from public life with expressions of bitter disappointment. The majority of the nation, belonging to the Romish persuasion, ceased to hope for the redress of



what they considered their grievances by constitutional means. It was an era of revolutions. The French Directory pretended to be willing to assist oppressed nationalities; in reality, making revolution the stalking horse of conquest. The United States had succeeded in shaking off the grasp of England, and presented to the Irish nation an example of successful rebellion. Ninety-eight arrived; a fierce and bloodthirsty insurrection was put down with a ferocity that has no parallel in modern history, and civil was converted into a religious war by the policy of arming the Protestants against their Roman Catholic neighbours. But no doubt England passed through a great danger; the winds of heaven fought for us and guarded our shores, for had Hoche's army landed in Ireland the insurrection might have been turned into a revolution. This great peril suggested to the minds of English statesmen, as a measure to be immediately accomplished, the complete union of the two countries by the absorption of the Irish into the English parliament. The attempt to escape engendered the resolution to bind more tightly, to unify more completely. Ireland was henceforth to be reduced to a province of England, and deprived of that show of independent nationality which it had dreamt of making a reality. Every thing that tended to prolong this dream was injurious to the country. A parliament that was competent to refuse supplies, should England be engaged in war, or even to vote secession, was inconsistent with facts. It was misleading. It actually occurred in 1788 that the two legislatures differed on the Regency Bill. The centralization of parliamentary power was shown to be necessary by the formidable danger which the country had just escaped. From the Irish Roman Catholics, who had been crushed in the late struggle under the heel of England, no opposition was now to be anticipated; the morrow of a rebellion is the best time for making changes, which if deferred, might again unsettle the country. Nor was it altogether ungrateful to the Roman Catholics, by whom it must have been looked on rather as the removal than the infliction of a grievance; for although they had been admitted to the elective franchise, they could elect none but Protestants. The College Green Parliament represented the ascendancy of the Protestant part of the nation, and it was to this portion, if to any, that the Act of Union was a blow. It is a question indeed how far the abolition of so corrupt a legislature was a grievance to any party in the State; but to the Roman Catholics it was on the contrary rather a boon. Had Catholic Emancipation and Parliamentary Reform been passed before the Union, under Lord Fitzwilliam's regime, the difficulties in the way of effecting it constitutionally would probably have proved insurmountable. It was only after Catholic Emancipation had been conceded that Ireland began to regret the loss of her parliament, and the repeal agitation commenced. But the Roman Catholics having in fact gained a triumph by the abolition of the parliament which consisted of Protestants only, found it impossible then, under new circumstances, to recall a compact to which their own bishops had been parties, even though to them the conditions of it had not been fulfilled. Those statesmen who deemed a national parliament inexpedient when it represented the loyal Protestant minority, were not likely to consent to the restitution of a parliament which



should represent the disaffected Roman Catholic majority. Had they done so, the first step of the restored parliament would probably have been to give an *ad absurdum* demonstration of the impossibility of its continuance by voting for separation from England.

The reasons which we have stated were apparent to the great statesman who was then at the head of the Government. Mr. Pitt expressed his determination to carry the measure, no matter what toil, difficulty, or unpopularity it might entail, so thoroughly was he persuaded that on its success depended "the internal tranquillity of Ireland, the interest of the British empire at large, and the happiness of a great portion of the habitable globe." A proof that the toil and difficulty to be encountered would be very great was given by the Irish parliament immediately on the project being opened to it by a royal message. In a House of Commons, where almost every man's price was registered at the Castle, an amendment to omit the paragraph in the address relating to the Union was, notwithstanding, carried by 109 to 105. A meeting of the Irish bar condemned the proposed measure by a majority of five to one. All the talent, all the integrity of the country, was arrayed in opposition, but combined with an unreliable mass of corrupt members. On these the Government set to work, in order to be prepared for the next session, with wholesale bribery. Titles of honour—or rather let us say of dishonour—were the coin in which many members were paid for their votes. Punishments too were added to rewards, and placemen who had voted against the Government were dismissed, as a warning to others; but the extent to which bribery was carried was unexampled, and revealed a baseness in the upper classes of Ireland which happily is, to us, hardly conceivable. It is the saddest passage in the history of an unhappy country—sadder than any possible reverse or calamity that could befall a nation in the path of honour. Lord Cornwallis, the viceroy, did not himself stoop to the meaner kind of corruption, and perhaps was scarcely cognisant of it; but in Viscount Castlereagh was found one who was not troubled with fine scruples; his own letters to Mr. King (see Cornwallis Correspondence, vol. iii. p. 200) can leave no reasonable doubt that he exercised, as Chief Secretary, the functions of a minister of public corruption, and drew large supplies from the secret service fund to purchase the votes of members of parliament. On the other side, when the decisive struggle approached, a fund was raised which, it is said, rose to a hundred thousand pounds, in the futile hope of outbidding the treasury with the boroughmongers, and probably, also, with members themselves. One man was named who was induced by the opposition to vote according to his conscience, for four thousand pounds, an act scarcely so heinous as bribing men to vote contrary to their convictions; but certainly, if true, incapable of justification.

The measure met with but feeble opposition in the English House of Commons, and when it was a second time brought before the Irish House the success of the efforts of Government was evidenced by a majority of forty-two; and this majority was not materially diminished from the introduction to the final passing of the measure. The most remarkable episode in its passage was the affecting scene when Grattan reappeared in the House, from which he had for two years

withdrawn; a description of it will be found under the memoir of that great Irishman.

On the 2d of August, 1800, the independent legislature of Ireland expired by its own act. The compensation to owners of seats in it amounted to over a million pounds sterling. Henceforth Ireland was to be represented in the Imperial parliament by 4 spiritual peers sitting in rotation, 28 temporal peers, and 100 commoners. Ireland's portion of the revenue was to be in the proportion of two to fifteen for twenty years, and for that period the debts of the two countries were to remain distinct; freedom of trade was established between them in spite of a protest from the English woollen manufacturers; the Irish laws and method of election were to remain in force; and the churches of England and Ireland were united by the compact thus entered into between England on the one side, and the Protestants of Ireland on the other. The Irish Roman Catholics formed a separate compact with the Government, on the strength of which they held aloof from a struggle in which they felt in reality no interest. This compact was, that a Catholic emancipation act should be submitted by the Government to the Imperial Legislature on the accomplishment of the Legislative Union. But Mr. Pitt, in authorizing the Marquis of Cornwallis and Lord Castlereagh to make this promise, was reckoning without his sovereign. The King publicly declared that he should consider any man his personal enemy who proposed such a measure. Mr. Pitt's scheme embraced the payment of the Roman Catholic clergy and an adjustment of the tithe question; but His Majesty having decidedly refused to entertain it, the ministry, or rather Mr. Pitt, resigned. It may well be doubted whether the minister was justified in making such promises without having previously secured the King's consent, knowing the circumstances under which, a few years before, the measure had been brought forward and withdrawn, and the fatal consequences that had on that occasion arisen from the delusive promises of his Government. If he had been in earnest, it is possible that the King's opposition might have been overcome, as it had frequently been before to other measures and by other ministers. But the Roman Catholics were twice duped by Mr. Pitt. He was not sincere in his desire to carry the measure, though in deference to Granville and Castlereagh he brought it forward in the Cabinet; and on the King's refusal to entertain it, his resignation was a sham, for he continued to hold the helm of Government of which Addington was constituted the figurehead.

## CHAPTER V.

## CATHOLIC EMANCIPATION. 1800—1813.

Disappointed expectations—Resentment of Roman Catholics—Abortive Rising of 1803—Account of the Catholic Disabilities—Their gradual removal—Remnant—Prospect—Petition of 1805—Pitt's Desertion—Pitt bound over—His Death—Tentative Measure—Withdrawn—Attempt to bind over the Granville Ministry—Resignation—State of Ireland—Napoleon and Emancipation—Measure of 1813—Its fate—The Peace—Grounds for shelving Emancipation.

WE commence our historical sketch of Catholic Emancipation from the beginning of the century, for although the actual struggle did not commence until 1805, it will be seen that in the short interval there were circumstances leading up to it. The despair with which the accomplishment of the Union struck its foremost opponents, was not, it must be confessed, wholly unselfish. Generally speaking, they were members of the bar, and it was with a natural mortification they exchanged the halo of the statesman for the horsehair wig of the lawyer. A nobler grief drove Mr. Grattan to the solitude of his retreat on the borders of the county of Wicklow, to mourn over the loss of the independence he had obtained for Ireland. But a greater and truer cause than the defence of a pasteboard parliament was soon to demand the return to public life of those on whom it had apparently been closed. Grattan, Plunket, Ponsonby, and others of less note, had an imperial, instead of a provincial career before them, and were destined to make the English squires, who had humorously deprecated the incursion of a horde of savages from Ireland, taste the steel of Irish eloquence. The violence of faction was exhausted, and a profound lull followed the Act of Union. The promised rewards were being distributed to those whose neutrality or support of the measure it had been necessary to secure. All classes were in expectancy of the advantages which it had been foretold were certain to ensue. The mercantile portion of the community expected to share the prosperity of English traders. The Roman Catholics awaited with confidence the fulfilment of the compact entered into with them. But none, except those who had claims on the Government for place or title, found their expectations realized. The loss of national independence did not at once act as a charm to make the country happy and prosperous. On the contrary, the United Parliament, like a magnet, drew the upper classes over to England—trade began to decline. A poor nation already felt the effect of sharing the taxation of a rich one; the English scale of public expenditure being wholly unsuited to Ireland. And it was not as yet felt that a share in the national glory compensated a full share in the national outlay. The Roman Catholics, as narrated in the last chapter, found that the compact entered into with their leaders by Lords Cornwallis and Castlereagh, on behalf of Mr. Pitt's government, was not to be fulfilled. By the Prime Minister's resignation, however, they were for a time led to believe that the most influential statesman of the day was honestly resolved to stand or fall by their claims, the recognition of which must precede the return to power of one who could not be excluded from it for long. But it soon became apparent that Pitt's fall was only pre-

tended—that, with a view to giving a cheap proof of his good faith, he had feigned overthrow, and had abandoned their measure rather than been unable to carry it. He continued to use the language of a prime minister, speaking from behind the treasury bench, scarcely attempting to conceal that he held the reality of power; and that Mr. Addington (“The Doctor,” as he was called, from being more successful in prescribing a hop-pillow for the King’s sleeplessness, than in his political nostrums) was controlled in his actions, not by his own sinews, but by Mr. Pitt’s strings. The Roman Catholics perceived that they had been duped again; the old resentment awakened, and the embers of rebellion, which had smouldered on from ’98, under the ashes of its almost consumed elements, were again stirred into activity, and supplied with fresh fuel.

We may here briefly touch on the events of 1803, on which a scarcity of food had a great influence. A partial failure of the potato crop produced an increased hatred of England. Nor were there wanting those to take advantage of the prevailing discontent. Colonel Despard, who was breeding his conspiracy in London, sent over an agent; but a more influential plotter was at hand in the person of Robert Emmett, younger and more gifted brother of Thomas Addis. Having spent some years in France he had formed plans for the liberation of Ireland, but a better acquaintance with the country would have shown him the impossibility of their accomplishment. With money bequeathed to him and borrowed, he purchased a supply of arms, prepared magazines of ammunition, and carried on an extensive conspiracy. We do not consider it necessary to enter into details which will be found in the memoir of Emmett. An explosion in one of his stores attracted the attention of the authorities. There was a premature rising, a street riot, a murder or two, and the trial and execution of the leader. Emmett was not guilty of anything unworthy; and we can not help looking back with pain on this last instance of a purely political execution. But to prevent civil war from being lightly undertaken, without sufficient cause, or sufficient chance of success, society must exact a penalty from those who fail in the attempt. Though the abortive insurrection in Dublin was quelled in the course of an hour, the wide-spreading roots of the conspiracy continued in the ground; and this must always be borne in mind in reviewing the struggle for Catholic emancipation, that beneath the surface of events, when most placid in their course, a rebellion slumbered.

We must briefly refer to the penal laws, the disabilities under which Roman Catholics once suffered, and those under which they continued to suffer, before going into the progress of the cause that for a quarter of a century continued to be, in internal politics, the question of the day. The Act of Henry VIII. imposed on all his subjects an oath by which the King’s civil and ecclesiastical supremacy, within the realm, was asserted. In the reign of Queen Elizabeth this Act was modified in its application to religious offices, or those held directly from the crown or connected with justice; so that Roman Catholics were admissible to Parliament, and continued to be so for a hundred and thirty years. An alternative for the oath of supremacy was the declaration denouncing as idolatrous, transubstantiation, invocation of

saints, and the sacrament of the mass; while another alternative was the sacramental test, viz., receiving the holy communion in and according to the use of the English Church. A Roman Catholic had also to disclaim, on oath, a belief that the temporal authority of the Pope extended beyond his own states. The reign of Charles II. brought with it a fresh instalment of intolerant legislation, partly directed against Protestant dissenters, but by necessary implication taking in the adherents of the Roman Church. The Corporation Act (13th Charles II.) was an instance of the latter; it was framed to exclude from offices in cities and corporations Cromwellians suspected of disloyalty; and the oath contained a clause not to take up arms against the king or those lawfully commissioned by him. This was repealed, (and it was quite time it should be), in the reign of William and Mary. The Test Act, (25th Charles II.), the product of Lord Shaftesbury, and levelled against the Duke of York, excluded Roman Catholics from all offices, civil or military. It was not repealed at the revolution, because the exiled house still impended over the country, and it did duty for a bill of exclusion. By the articles of the treaty of Limerick, it is true, the acts enumerated were done away. But did the power of repealing the laws of England rest with the Earl of Athlone? We before noticed that the military authorities made their treaty, and only could make it dependently on the assent of Parliament, which assent was withheld. Parliament exercised its undoubted right; and to call Limerick "the City of the Violated Treaty," involves an oversight of the contingent nature of the treaty, from which it derives that appellation. On the other hand, however, it must be allowed that Parliament recognised a moral obligation, which perhaps there was no need to have admitted. In one sense it sanctioned the articles of Limerick, but not in the sense in which they were entered into between the military commanders. It ratified them so far as concerned the garrison of Limerick; its remnants were no longer to be debarred from the professions of law or physic; a concession to them not of much value, as they could never more set foot in Ireland. No direct violation of the treaty would have been so contemptible as was this trick. Under the Mutiny and Admiralty laws Roman Catholic soldiers and sailors might be compelled to attend Protestant worship. Roman Catholics could not hold landed property; and it was only by the fidelity of Protestant neighbours, in whose names it was held, that they continued to do so. A poor Protestant barber is said to have held at one time a great portion of the Roman Catholic property in the south of Ireland. It speaks well for both parties that this kind of trust was never broken. The Roman Catholic could not educate his children at home; it was equally unlawful to send them to be educated abroad; he could not, at his death, appoint guardians or bequeath his estates to them; nor could he add to his property by purchase. Intermarriage with Protestants was forbidden by law, and many a romantic story might be told of the consequences of this enactment. The good feelings of neighbours prevented the laws from being rigorously carried out; but they had sufficient force to achieve their object, which was, to break down the Roman Catholic gentry and vest the ownership of the land in



Protestants, almost exclusively. One unfortunate effect of such policy is the alienation which this sharp religious division has caused in Ireland between landlord and tenant.

In the latter half of the 18th century the condition of the Roman Catholics was gradually undergoing amelioration. The burden of their chains was lightened; from time to time a fetter was struck off. In 1774 an oath was substituted not involving the renunciation of their religious belief. In 1778 they were permitted to take leases for the longest term known to law, to inherit estates, and to dispose of them by will, or otherwise. In 1782 it was made lawful for them to purchase estates; some educational disabilities were removed; they were no longer compelled to declare on oath when and by whom they had heard mass celebrated; they were not henceforth required to make good malicious injury and depredations; their horses were not to be regarded as lawful plunder; they were permitted to reside in those cities from which they had previously been excluded; they might appoint guardians to their children, and worship God as their fathers worshipped him. In 1793 they were admitted to the elective franchise on the basis of a forty shilling freehold suffrage; they were allowed to practise as attorneys and barristers; education was relieved from all legal restraint, and intermarriage with Protestants was legalized. But they were still excluded from the honours of the State, though admitted to substantial power. The doors of parliament were closed upon them. They had no part in making the laws which they were required to obey. All State employment, all State honours, they saw monopolized by the Protestant minority. This had the worst effect on both parties—inflaming the Roman Catholic with jealousy, and the Protestant with arrogance towards, and suspicion of, the excluded multitude. Nothing could have been more unwise than to release them from their chains while they were still compelled to wear the badge of political servitude. The full weight of the penal laws did not excite so much resentment as their last remnants. As Lord Plunket said in 1813, “the time to have paused was before we heaved from those sons of earth the mountains which the wisdom or the terrors of our ancestors heaped upon them.” Their exclusion from full privileges, politically unwise, could not be sustained on religious grounds—for in 1774 the renunciation of the doctrines of Rome was changed into a renunciation of the political opinions supposed to be derived from them. The oath substituted contained a denial of the Pope’s temporal authority in these realms, and an abjuration of all interference with the Protestant establishment and hierarchy. We have learned from the course of events the inefficiency of all oaths to bind political action, and the consequent folly of imposing them. For while they form no real safeguard, their repeal is a favourable mode of approaching to the assault of those institutions of which they were framed to be the protection. The soundness of our institutions is a better protection than oaths, which convey an implication of unsoundness, and are only provocative of attack. Nor can we pretend to bind posterity to think as we do. To-morrow must take thought for the things of itself.

The year 1805 marks the decided commencement of the struggle

for Catholic emancipation. Many vicissitudes did it undergo, fluctuating with the fortunes of the great war—very close when invasion was imminent—very distant when the danger passed away. Now the obstacle was the obstinacy and honourable scruples of George III.; now the faithlessness of George IV. to the party which had upheld him through evil report—now it was the great peace, which almost dispelled the question for eight years—now a scandal in the highest life preoccupied public attention—now the insurrectionary aspect of Ireland made it too dangerous to run the chance of a fresh defeat—now the violence of agitation indisposed statesmen to action—now a liberal parliament was expiring—now a new parliament was returned with a majority against the Catholic claims. The House of Lords, encouraged by the King on one side, and the indifference of the English populace on the other, as often as the measure for Catholic relief was passed by the Commons, rejected it with an emphatic majority; until at last King and Ministers, startled by the extraordinary aspect of affairs in Ireland, gave their Lordships the cue to pass the measure. Such, in brief, is the history of the struggle for Catholic Emancipation, the outline of which we must now fill in with the particulars, reaching from 1805 to 1829.

Mr. Pitt having replaced his *locum tenens*, Mr. Addington, in 1804, the Roman Catholics had an opportunity of testing whether he was disposed to do more in support of their claims, than remaining, as he had already done, out of office for two years. O'Connell, now beginning to take a leading part among the Catholics of Dublin, got up a petition, which was most numerously signed, and Mr. Pitt was requested to present it. His pledge to the Catholics and his pledge to the King being quite irreconcilable, he chose to adhere to the latter, and refused to present the petition; the ground of his refusal being very illustrative of his general rule of action, that he regarded the question as one, not of justice, but of policy, and so it was handed over to Lord Grenville and Mr. Fox; and the cause of emancipation received its first decisive parliamentary defeat when the motion founded on this petition was lost by a majority of 212. In 1806 the death of the minister whom George III. had bound over to keep the peace upon this subject, under a penalty which he was not likely again to incur—of losing office—and whose place in the national confidence had been unassailable whilst he lived—led to an administration being formed by Grenville and Howick, the friends of the Roman Catholic cause. It was resolved to introduce a tentative measure, and such as would enlist a certain amount of Protestant sympathy. Accordingly a bill was brought in to open the higher ranks of the army to Catholics and Dissenters. The violent opposition of Mr. Perceval caused this bill to be withdrawn; and the King, who thought that, having thus done their *devoirs*, and given their friends a proof of sincere zeal for their cause, but inability to forward it, Ministers would consent to be bound over like their predecessors, endeavoured to impose upon them a pledge not to raise the question further. This was, of course, refused, and the Ministry resigned; Lord Liverpool formed an administration, and dissolved on the “no popery” cry—the country returned him a majority—and Catholic Emancipation became henceforth,

until its last stage, an opposition question. It is not to be wondered at that such alternations caused a dangerous excitement in Ireland. Politics were little understood among the peasantry, who seldom or never saw a newspaper, and, had newspapers been as common as now, could not have read them. The rumours that supplied the place of printed news, of course presented the wildest mirage images of what was actually taking place in England, and their expectations, in the commencement of the year, raised to the highest pitch, were, before it closed, completely extinguished. No conception of the passions they were playing with seems to have disturbed English Statesmen in their game of politics—though it did become occasionally necessary (as in 1807) to ask for a continuation of the Habeas Corpus Suspension, or a renewal of the Insurrection Act. The effect of refusing the Irish Roman Catholics one class of liberties was counteracted by depriving them of all the rest—a system of government so effectual in Ireland that Irishmen wonder it has never been tried in England, to still popular clamour. Meanwhile the mild contests in parliament cast a fearful reflection over Ireland; Protestants and Catholics became more furiously exasperated against each other; O'Connell presided over a great system of agitation in Dublin, and the Catholic Association was able to elude all the ingenuity of the lawyers in framing acts to put it down, by changes of title, method of procedure, and nominal objects. On the Continent the power of Napoleon was absorbing everything—the French Empire assuming gigantic proportions, only paralleled by the empires of antiquity. The position of England became extremely anxious; the discontents of five millions of her subjects were not unworthy of consideration in the face of so great a danger. And the majority against Catholic relief dwindled every year. True, the Prince's retention of Mr. Perceval in 1811, when he assumed the unrestricted regency, was a sore disappointment to those who had long expected from the son a reversal of the father's policy—for Mr. Perceval was, of all the great statesmen who took sides on this question, the most firmly and conscientiously opposed to concession. His assassination in 1812 removed a dangerous and honourable opponent. The following year Mr. Grattan moved for a Committee of the whole House, to inquire into the laws affecting Roman Catholics. The motion was carried by a majority of forty, and a bill was introduced which was the foundation of that of 1829. It was read a third time, and struggled on into Committee; but being there decapitated of its principal provision, the admission of Roman Catholics to parliament, was indignantly withdrawn by the Opposition. Napoleon fell in 1814; the danger which had threatened England for so long a period passed away; Irish discontents lost their consequence; and for eight years the claims of the Roman Catholics, though they continued to be urged, attracted little notice.

We may briefly summarise the grounds on which English statesmen resolved to put Roman Catholic Emancipation aside, the moment it appeared perfectly safe to do so, although they had wavered in their opposition under the influence of dangers from without. The various attempts which Ireland had made to secede from the Empire had been the cause of the exclusion of the Roman Catholics from political power,

as well as of their other disabilities. When the nonpolitical restrictions were removed, they were not considered sufficiently reconciled to the British connection to entrust them with a share of power in the State proportionate to their numbers and wealth—nothing less could be offered. The policy was very much that which the North adopted to the South, on the conclusion of the American civil war. It was considered that it would be the weakness of generosity to readmit them to positions where they might conspire again to overthrow the Union, which it had cost so much blood and treasure to preserve. The argument for the exclusion of the Irish Roman Catholics was exactly the same as that for the exclusion of the Southern rebels. And the monopoly of government by the English Protestant colonists was only a little more complete than that bestowed on the "loyal whites." The connection of the Roman Catholic religion with the history of the Empire; the forcible transfer of its possessions to the Protestant Church—the natural sympathy of the Irish, owing to identity of religion, with foreign Roman Catholic nations—their recognition of the external authority of the Pope, who might, to gratify, for instance, the Emperor of the French, order his obedient children in Ireland to obstruct the British Government by every means in their power, to refuse to serve in the army, or even raise a rebellion—all these apprehensions disposed English Statesmen against the admission of Roman Catholics to political power. It was believed that to admit them to parliament would endanger not only the Union but the Established Church. Grattan considered it necessary to insert in the preamble of his bill of 1813 a clause securing the Church. The Legislature itself, it was feared, would lose its Protestant character, and the Constitution be reduced to a neutral tint. It was assumed to be apparent that the first consequence of Emancipation would be the Roman Catholic Church assuming a new relation to the State—and the very uncertainty as to what would be the nature of this change indisposed statesmen to risk adopting that measure which would bring it about. Nor was the admission of Roman Catholics to high offices of trust, which would necessarily follow, considered safe or politic; while, if the Government was to retain its Protestant character, it was far better that it should do so by the operation of the law, than by the exercise of a discretionary power.\* Some of the apprehensions entertained we can now see were visionary, as, for instance, that the foreign policy of the country would be affected by the number of Roman Catholics admitted—or that Roman Catholics in positions of trust would be disloyal—others which were the most emphatically repudiated have been verified by time. A long and harassing struggle for a repeal of the Union commenced on the passing of Catholic Emancipation. It is still the dream of those nationalists who will accept any abatement upon complete independence; and it is impossible to say that we may not awaken one day to see it in some shape realized. Above all, in respect of the dangers which it was said would arise from the measure to the Established Church—the fears expressed by

\* See Memoirs and Correspondence of the late Right Honourable Sir Robert Peel, by Lord Mahon.



Conservative and combated by Liberal statesmen — have been most amply verified. Strong declarations were made—perish the Roman Catholic claims if they involved this consequence!—the Act of Union itself would be invalidated if the Church were overthrown from its pedestal of state. It was denied that the Irish Catholics would *wish* for such an event—it was faithfully promised that they never would promote it. Those promises and protestations were made in perfect good faith; but how vain it is to enter into recognizances for the good behaviour of those who will come after us? It is rash to promise, even for ourselves, but the height of absurdity to promise for our successors. Let us, however, say for those who promised, or rather prophesied—for such promises are but prophecies—that emancipation would not endanger the Irish Church, that they were speaking on the assumption of the endowment of the Roman Catholic priesthood being associated with the measure of relief. But whatever the consequences foreseen, and however certain they were to follow, statesmen ought to have considered if it was likely that five millions of people, rapidly increasing in wealth and importance, could be excluded from political privileges *permanently*—for if it was not, it was folly to make their ultimate admission more dangerous by keeping them out to the last moment. It would have been wiser—their final entrance being inevitable—to have admitted them graciously than to have forced them to break open the door. When they did enter the Constitution, they entered it as implacable enemies, determined to push their opposition to the utmost point.

## CHAPTER VI.

### CATHOLIC EMANCIPATION.—1813—1820.

Eight eventless years—1821—Dr. Milner's Petition—Veto—Measures pass in Commons—Rejected in Lords—Permanent effects on Ireland—The King's Visit—Mixed Government—Delay—Defence of Peasantry by Catholic Association—Enormous growth of this body—Unlawful Societies Act—Sir F. Burdett's Bills—Thrown out by Lords—Vicissitudes—Catholic Association in the year '28—Clare Election—Relation of Landlord and Tenant—Effects of the Election—Danger of an outbreak—King's Speech—Wellington and Peel introduce measure—Wings—The End.

THE period on which we are now entering divides itself into two equal portions—the first, eventless, of enforced artificial quiet, like a drugged sleep; the second, a term of delirious violence. Eight years, as we have said, passed away before the question came to a crisis again. Owing to the iron rule of Mr. Saurin, Attorney-General, the agitation was kept within bounds, and the exasperation of the people, confined below the surface, grew more intense in proportion to the success of the Government in denying it expression. A harmless irruption was, by this means, being turned into a dangerous disease. In England, however, the forced quiescence of the Irish agitators had a favourable effect on the public mind; and in 1819 the majority against the Catholic claims was but two. In the Lords, also, the majority had diminished. It was in the following year that Ireland lost its greatest



man and Catholic Emancipation its foremost champion—Henry Grattan. One cannot but regret that he was not spared, “coming into the temple” of English freedom, to see the fulfilment of his hopes; but nine years were yet to elapse ere the battle which he had so often led should at last result in victory. The year 1820 passed without any action being taken, the public attention being occupied by the Queen’s trial; but in 1821 a great effort was resolved on, and numerous influential petitions were presented, to prepare the ground in parliament for the reception of the measure; but we may observe that a petition was presented from a small section of bigoted English Roman Catholics *against* the Bill, and that it was headed by the Most Reverend Dr. Milner, who, on this question, separated from all his brethren of the English Catholic Episcopate. This prelate’s ground of opposition was the lamentable union that would be sure to ensue between Catholics and Protestants, to the grievous peril of the former from a close contact with heresy. Alas, that his fears of such intimate union should have proved wholly visionary! Dr. Milner was the one who was most opposed to giving to the Crown a veto in the election of Roman Catholic bishops, and this being involved in one of the two Bills now about to be laid before Parliament, was a more presentable ground of objection than the harmony likely to be produced. The point had long previously caused a split in the Roman Catholic party—the upper and moderate section being in favour of conceding the check, and the more violent, led by Mr. O’Connell, indignantly opposed to it. In every country the sovereign has such a power—Prussia affording an instance of the veto being vested in a Protestant monarch. And if the Roman Catholic bishops and their clergy were to be recognised and paid by the State, it certainly seemed only fair that the State, if such an inconvenient and even dangerous right were thought worth contending for, should in its turn be recognised by the Catholic Church, and receive this concession for what it gave. This, in our opinion, mischievous right of meddling in the ecclesiastical polity of the Roman Catholic Church, would, we may hope, never have been exercised by any Minister on behalf of the English crown. But no doubt it would have been painful to the feelings of Roman Catholics that a Protestant Government should, even nominally, have any concern in their religious government, and, so far, the right of veto was perhaps felt to be a set-off to the high Protestant party, for the regrets they, on their part, would experience in being obliged to let the Roman Catholics go. Greatly to the astonishment and mortification of the extreme Catholic party in Ireland, the Pope commissioned his Legate, Monsignor Quarantotti, to express his wish that the veto should be conceded; and, accordingly, one of the measures of 1821 was a Bill to regulate the intercourse of the Roman Catholic clergy with the See of Rome,—this being separated from the Relief Bill to avoid the appearance of a bargain. Mr. Plunket, who, in succession to Mr. Grattan, had assumed the management of the cause, explained that for the same reason a State provision for the Roman clergy was not mixed up with the measures he was introducing. After one of the great debates of English Parliamentary history—in which the arguments and invectives of the leaders resembled, in weight and force of impulsion, the missiles of Homeric heroes—

the first reading was carried by a majority of six, and the second reading by eleven. Lord Donoughmore had charge of the Bills in the Upper House, and received the support of Lords Grenville, Grey, and Lansdowne, while Lord Liverpool led the Opposition. Their lordships took the course they usually adopt with measures in which the concurrence of the House of Commons has been heartless and insincere. They threw them out on the second reading by a considerable majority. The theory of this practice may be correct—that the nation should prove itself really anxious for a change before a change is sanctioned—but in the case of the Catholic claims a further delay of eight years, resulting from the defeat of 1821, had a most disastrous effect upon Ireland. The previous eight years' delay had been injurious enough, but the eight years which followed put the country almost past cure. When its day came, the measure of 1829 was wholly insufficient. A slight indisposition, which has been allowed to advance to a fever, may at that stage be aggravated by the remedy which would have removed it at first. Without pronouncing on its original justice, we have stated how the demand grew; how the concession was offered before the demand for it had been well made; how it was put forward as the basis of a compact that was broken; how it was again and again held out and withdrawn. At last the Irish Roman Catholics were worked into a fury which nothing could appease; they were given a taste for agitation and a habit of looking to constitutional or revolutionary change for an improvement of their condition instead of to their own exertions, which we can scarcely conceive their ever losing. When all that it is possible to concede to them shall have been conceded—when we shall have gone as far as any English statesman would dare to go on the road of confiscation—when we have given them government according to their own notions, and sacrificed to their prejudices every institution, no matter how beneficial, that caused them offence—we fear they will go on asking for what is impossible, carrying on that eternal agitation which we taught them and obliged them to learn, and still frightening by their rude gestures those timid flocks of capitalists who long have hovered about their shores, afraid to alight, and preferring to the temptations which the immense capabilities of Ireland hold out a flight to the most distant countries of the globe. Nothing is so difficult to eradicate as the tribe of agitators when once it is established in a country; to them peaceful settlement of a question is detestable, and they endeavour to stave it off by increasing their demands, and refusing to admit of any reasonable concession. Thus, when the measures of 1821 passed through the Lower House, and this unprecedented degree of success was regarded by the sanguine as insuring their becoming law that session, a furious agitation was instantly set on foot against the so-called "Securities." Meetings were held all over Ireland to denounce them; but the news that the Bills had been lost in the House of Lords changed the indignation into which the people had been lashed into bitter disappointment. They discovered that a measure with drawbacks was preferable to none; but the agitators experienced intense relief.

As a counteraction to the bad effects of the shipwreck of Catholic emancipation on the ice-bound shore of the House of Lords—where

so many goodly vessels are lost—George IV. favoured Ireland with a visit in 1821. We cannot digress into the particulars of that visit : suffice it to say that it was like a burst of the brightest sunshine on the darkest of days. It was indeed a great and impressive event. O'Connell, the incarnation of popular discontent, whose tremendous agitation was yet to overcome the opposition of this very sovereign, and to bend the will of the English House of Peers, and win for himself from the Irish people the affectionate appellation of the Liberator, knelt to the king as he left Kingstown, and presented him in the name of Ireland with a laurel crown, representing the sovereignty he had won over the hearts of the people. George had shewn many marks of favour to the Roman Catholics during his short visit, and, going away, he charged his Irish subjects to forget sectarian rancour. This inspired the Catholics with hope, but it was a false hope. Of the animosities he exhorted them to lay aside he did not remove the cause : he bid the wound to heal while he left in it the sword of the penal laws. Ireland soon, again, became filled with disaffection. The transitory good effects of the first visit passed away—the brief hour of sunshine was succeeded by a settled gloom. Those who had the government of Ireland were kept in continual uneasiness ; the ground trembled with the earthquakes of rebellion which threatened at any moment to spread ruin over the surface of society. Mr. Peel having at this time joined Lord Liverpool's cabinet as Home Secretary, the Grenville Whigs were also invited to assist in the Government, and, at the advice of Lord Grenville, who did not accept the offer for himself, Wellesley and Plunket became respectively Lord-Lieutenant of Ireland and Attorney-General. The latter appointment particularly was thought a good omen for the Catholic cause ; but Mr. Goulburn was sent as Chief Secretary to restore equilibrium. The King sanctioned this infusion of Whigs, while he took care that they should be well counteracted, for he loved to set off party against party, and play for the political "stalemate." In 1822 Ireland was in such an uneasy state that it was felt bringing forward the measure, when it was certain to be defeated again, might be attended with dangerous consequences. O'Connell sanguinely believed that it could not be defeated : "Parliament would not be mad enough," he wrote. Cooler heads thought otherwise. Not simply those who were in office, and might have been suspected of deferring the question on that account, but Lord Grenville, who, as we have said, refused to join the Cabinet, advised inaction for the present. Besides, the agitation against the Securities that had betrayed itself when it was thought the measure was about to pass in the preceding year, showed that some clear understanding should be come to on that head before it was again undertaken. Lord Grenville, though he declared himself willing to support the measure without securities, thought their omission would retard it by very many years ; but lest while this point was being debated the cause should fall into other and objectionable hands, he recommended that Plunket should give notice of it for the following year. He also thought that Canning's Bill to admit Roman Catholic Peers to the Upper House would, by itself, be certain to pass, and that having passed, it would leave an opening for a larger measure to follow. The party followed the advice of the Whig Chief—but Lord

Wellesley and Mr. Plunket continued in their administration of Irish affairs, and in the face of great difficulties, to pursue a conciliatory policy. This gave great offence to the Orange party, who manifested their resentment by throwing whisky bottles at the Viceroy's head on his attending a performance at the theatre. In the years 1823 and 1824, a rebellion was felt to be at any moment a possible contingency;—"the whole head was sick, and the whole heart was faint." In May, of the former year, O'Connell and Sheil issued a manifesto, reviving the Catholic Association on an immense scale; to take in, not merely the leaders of the people, but the people themselves. At this time the peasantry of Tipperary, largely descended from Cromwell's troopers, had already won an evil fame for their county;—many outrages had been committed upon the tithe proctors, who were oppressors of the people, and plunderers of the clergy—and the new Association undertook the defence of those charged with offences, provoked by laws of which the Roman Catholics complained. Nobility, prelates, and gentry joined in their defence; the people were deeply moved—and the enthusiasm which this identification of the rich with the wrongs of the poor excited in the Catholic portions of the nation, united it together as one man. Crime and violence completely ceased—the people had confidence in their leaders; and felt that they might safely leave their wrongs in such hands, and would be certain of redress. To meet the expenses of the Association subscriptions flowed in from all quarters; the "Catholic Rent" was established, and averaged £500 a-week,—“Church-wardens,” as they were called, being appointed to collect it in every parish throughout Ireland. Startled by this immense organization, which might, if allowed to develop its strength, be used for objects not yet declared—even the habitual supporters of the Catholic cause agreed that the Association should be suppressed by an Act of Parliament—but they stipulated that the Act suppressing it should have for its consort a Catholic Relief Bill. The Unlawful Societies Act passed into law—but the Relief Bill did not. The latter was introduced by Sir Francis Burdett, with two other Acts, known as “the wings,” for the abolition of forty shilling freeholders, and the State payment of the Roman Catholic clergy. Sir F. Burdett's Bill was carried in the Commons by the largest majority yet obtained—viz., twenty-one;—but, as usual, it was rejected by the Peers with great emphasis. The Duke of York (heir-apparent to the Crown) had the rashness to declare that “whatever might be his situation in life” he would adhere to his opposition to the Catholic claims; and although it was quite unconstitutional for a royal prince so to express himself, the King, by public marks of favour, showed that he approved the declaration. The more dark and hopeless the parliamentary prospect, the brighter, of course, burned the agitation out of doors. Meetings of the Association filled the country; the Act lately passed to suppress it only caused a modification of its name; and it was declared to be embodied for purposes “not contrary to the statute.” The workings of the people were thus becoming more violent and concerted: but we must now hasten on to the culmination, dismissing in a few words events in themselves of great apparent importance, but lost in the interest of the approaching crisis, in the bringing about of which they had little or no



part. In the expiring parliament of 1826, which had thrice pronounced for emancipation, the question was not again raised;—in the new parliament there was a majority *against it* of four votes, but, shortly after, a motion was carried for a committee to inquire into the laws relating to Roman Catholics, in which the House of Lords did not, however, concur. In the meantime Lord Liverpool had been succeeded by Canning; Canning by Goderich; Goderich by the Duke of Wellington, who, on the secession of the Canningites, was left at the head of a pure Tory government. Not, however, to these changes, nor to the ordinary and wearying vicissitudes to which the cause was subjected in parliament, was the victory attributable which was now close at hand; though still, to professional politicians, it was as much as ever one of the political counters, of no value in themselves, but with which the game of politics is played. It was in Ireland itself that events were about to take place which even professed politicians could no longer trifle with. The year 1828 came—the point marked on the dial of time when resistance should cease, as if by magic—as if it had never been: while the undying hatred—the violence of the agitator—the consciousness of power in the people, should continue as if the opposition had never ceased. In the month of January 1828, on the same day and at the same hour, the whole Roman Catholic population of Ireland met in their churches, to make a last solemn demand, before God, for equal rights. The movement was but one step from revolution; and it became evident that the question now lay between re-enacting the penal laws, or granting the demands of the people. The attention of foreign nations was attracted; contributions in money and addresses of sympathy flowed in from France, Belgium, Italy, and America. It was then that a step was resolved upon, by which the question between the people and their rulers should be put to a practical issue, viz., the election of a Roman Catholic to serve in parliament, and Mr. O'Connell was nominated for a vacancy which had occurred in the representation of the county of Clare. His opponent was Mr. Vesey Fitzgerald, a popular and even liberal country gentleman, who had just been nominated to the Presidency of the Board of Trade, and was obliged to seek re-election. Money was abundantly subscribed; the Association sent forth its lecturers; the Roman Catholic clergy were called upon to put out all their influence; their churches in the county of Clare were used for the time more for political meetings than for religious worship—and at all hours of the night and day the priests, with their rugged eloquence stirred up the people to the approaching contest. The convictions of the Roman Catholic voters, of course, did not require to be deepened; the task was to raise their courage up to the point of voting in opposition to the will of their landlords. The landlords, on the other hand, who were unanimously in favour of Mr. Fitzgerald, held a meeting to express their indignation at this revolt. They truly said that it would change the relation between landlord and tenant—that it would result in a disunion which would be bad for both parties—the old feudal tie would be broken—a commercial relationship would take its place. This was indeed the marked beginning of such a change—the people withdrew from the landlords their feudal fealty, but they have never since been able to understand or excuse the

landlords withdrawing from them the consideration and indulgence of feudal lords.

To this day the Irish peasant's notion of what a landlord ought to be answers exactly to the position which was formerly held by their native chiefs; they have never given in their adherence from the most remote times down to the present to the kind of ownership of the soil which exists in England; and the landlords themselves having generally acted on this theory, were not unfairly indignant that the people should repudiate their side of the tacit compact. When, therefore, we see statements of one class of writers, that the people had hitherto been in slavery to their landlords, we must remember that the obedience they rendered was of a respectful and even affectionate kind—hallowed by tradition, and rewarded by an indulgence peculiar to the country. On the other hand, when the domination of their priests proved to be stronger than that of the landlords, and the people followed their spiritual guides in preference, this is absurdly described as being “enslaved by the priesthood;” whereas the Roman Catholic clergy only gave them courage to follow their convictions, or, rather, beat out one fear by another—the fear of man by the fear of God. Nothing is to be gained by the exchange of passionate language; while there was much reason for the indignation of the landlords, there was also much reason why the people should on this particular question vote against them, and much reason why the priests should stimulate them to do so. What Mr. Fitzgerald and his supporters failed to see, but such men as Mr. Peel and Lord Ellenborough did see, was the real object of this attempt—that it was not to turn out a supporter of Catholic emancipation because he was a Protestant, or even because he had joined the Tory Government when the Whig section left it, but to bring about a constitutional deadlock—to illustrate the paradox of shutting out from sitting in parliament those who could be represented in it—putting the temple above the maker of it. This was the object of the effort—this was what gave it such great importance—this was what made its excuse—and we can only wonder, in looking back, that the experiment was not sooner tried. The contest excited extraordinary interest in political circles; it was felt that, according to the practice of ancient warfare, the fate of a people was about to be set upon a single combat—the combatants being the mighty champion of the Catholics on one side, and as good a representative as could be found of Protestant landlordism on the other. Mr. O'Connell was blessed by Bishop Doyle ere he left Dublin; his journey to Clare resembled a royal progress; into every town on the route his carriage was drawn by multitudes, under green triumphal arches; and at last, when he approached Ennis, the county town of Clare, he was met by thirty thousand people, who welcomed the man who had come to fight their battle, with unbounded enthusiasm. It was in vain that Mr. Fitzgerald pleaded on the hustings his fidelity to the Catholic cause, pleaded the example of Plunket and others, in joining a ministry opposed to that cause, and the advantage of leavening its opposition,—in vain he menaced the tenant that in the day of sickness, of arrear of rent, when his family should be famishing, he would regret his alienation from the landlord, when the orators of the Association should be far away. In vain the landlords, in some cases, led their

tenants to the poll, for there the priests tore them from their leaders, and compelled them to vote, as they termed it, "for God and O'Connell." On the third day of the polling Mr. Fitzgerald retired from the hopeless contest. To the great honour of the landlords be it said, they did not carry out the menaces, disguised as fears of what would be likely to happen, in the hustings speech of their candidate—but the Catholic Association guarded against the possibility by collecting money to pay by loan the arrears of any tenant who might be threatened with eviction. The success they had achieved in Clare made them resolve to extend the experiment, and at the next election to oust all the county members who would not pledge themselves to civil and religious equality, parliamentary reform, the repeal of the Subletting Act of 1828, and opposition to the Duke of Wellington and Mr. Peel, unless in the unlikely event of those two great pillars of Protestantism letting fall the cause of which they were the trusted supporters. This resolve effected the conversion of all the Irish county members who had hitherto opposed the "Catholic claims;" and Mr. Dawson, brother-in-law of Mr. Peel, and supposed to reflect his sentiments, known to be the most thorough going of his party, declared on one of the orange holy-days, the festival of the Relief of Derry, at a banquet in the town of Derry itself, that he saw the impossibility of holding out any longer, and would henceforth withdraw his opposition to Catholic Relief. Well might the statue of the Reverend George Walker on the walls of Derry, according to the legend quoted by Mr. Plunket in his Memoir of his Grandfather, which places the event, however, somewhat later, let fall his sword at such words as these. The difficulty of the Catholic Association now became to moderate the tremendous agitation they had originated, and to keep the Roman Catholic population of Ireland on the verge of rebellion without allowing it to fall over. To have done so would have been to lose their cause. Already the organization had begun to assume a military appearance—there was a marching over the country of large bodies of men, sometimes in uniform, but generally without arms. Mr. Lawless declared he would march with an unarmed Catholic army through the Protestant strongholds of the north; this promise he endeavoured to fulfil, and in the course of his progress he mustered from twenty-five to thirty thousand men; but, in several places where the Protestants were prepared to dispute his progress, he wisely turned aside. The movement resembled one of those upheavings of the people in the middle ages, which, however, were less dangerous, because they had not eyes—were without a fixed purpose. In Tipperary Mr. O'Connell was obliged to call on the people to give up their meetings, which were becoming openly seditious, and he was implicitly obeyed. A still greater proof of the power which the leaders of the Association had acquired over the people, was their being able to induce them to cease their senseless but immemorial faction fights, and to be one people. No nation was ever before brought under such complete discipline, and it is difficult to explain, if there was not a previous intention on the part of Ministers to grant emancipation when they had a good excuse for doing so, or were lying in wait for open insurrection, in which there would be an utter end of it, why they allowed the Association to attain to such enormous power. But never were Ministers

more incapable of such baseness than Wellington and Peel. The fact is, when they formed a Ministry (at first a compound one), it was too late to touch the Association without immediately causing a rebellion. Lord Goderich's government was too weak and disintegrated: in Mr. Canning's time the Association was quiet; before that it was embryo. Thus it was allowed to reach its full growth; at last, when the Government procured the Act for its suppression, they were afraid to use it; and it suppressed nothing but the Orange lodges. The Act having expired in July 1828, the Orangemen again assembled—the Brunswick clubs were formed, and a Protestant Rent was levied. The masses of the opposing creeds approached each other like thunder clouds, menacing the country with the bursting out of a storm of civil war. The life-long opponents of Catholic Emancipation were converted by the terrible aspect of Irish affairs. The King advised the passing of a measure in his speech at the opening of Parliament. The Duke of Wellington declared that he, the constant opponent of it hitherto, now introduced it to save his country from civil war, of which he had witnessed the horrors. The Bill passed both Houses (the Lords with a majority of 104 on the second reading), and received the Royal sanction. It has made the year 1829 one of the memorable dates in English history. Catholic emancipation may, as was said of another measure, have entered the walls of the Constitution through the breach made by its defenders themselves, filled with the armed foes of all within—but no matter how it may fulfil the predictions of its opponents, we cannot regret the passing of the measure. We may find deplorable consequences as we proceed, but what would have happened if it had been withheld? Political exclusion on account of religious opinions is a form of persecution which the civilized world has abjured, with the exception of the one ecclesiastical power. Shame would it be if England alone were to retain that old fashion.

The Bill came in on wings, like Sir Francis Burdett's—one the same, the abolition of the 40s. freeholders—the other (very different from the payment of the Catholic clergy), prohibiting the importation of Jesuits. This was, like the matador's cloak, thrown to the horns of intolerance—it gave bigotry somewhat to gratify its rage, without any one being hurt by it. Such acts, even when seriously intended, being contrary to the genius of the nation, are never acted on in England. We have too much respect for our own liberties, to set the precedent of seriously meddling with those of others. It was necessary to do something to quiet that violent ferment of “no popery” feeling, which frothed into nine hundred and fifty-seven petitions in five days. By the main Bill the Roman Catholics were admitted to Parliament, being required to take only the oath of allegiance, which involved part of the old oath of supremacy, and made admissible to all offices except a few legal ones, which have since been thrown open—even the Irish Chancellorship, at last. There is now only one place a Roman Catholic cannot climb to,—the majority of the nation being Protestant—the throne.\*

\* Mr. Herbert, M.P., of Muckcross, had the good fortune to light on one remaining disability, in the year 1868—viz., the exclusion of Roman Catholics from the Guards—Sir John Packington promised that the order should be rescinded.



## CHAPTER VII.

TITHES COMMUTATION AND CONTEMPORARY MEASURES.—1829—1840.

Emancipation proves no remedy—Tithe Question taken up in its stead—Intense poverty makes tithes oppressive—Brief retrospect—Fall of the Tories—Commencement of "The Tithe War"—Its progress—Reports of Committees—Mr. Stanley's three Bills—Reform, English and Irish—Unsuccessful attempts to settle the Tithe Question—Appropriation clause—National Education—Resolutions of 1838—The Bill that passed—Municipal Corporation Act—Workhouses.

A CAUSE which we shall have to dwell on more at large in another chapter, viz., the enormous increase of population, made it impossible that there could be peace and contentment in Ireland. Catholic Emancipation could not counteract the uneasiness produced by increasing poverty; a country always on the verge of a famine could not be at rest. It has been truly said that freedom is not a great blessing to a beggar; and to this extremity the bulk of the population was reduced in Ireland. One thing the Catholic question had done, it concentrated the attention of the people—it gave a dramatic unity to their history, which it now lost for a time. But its settlement did nothing to cure the disease from which the country was suffering; on the contrary, it released the attention of the people to become more sensible of their misery; they were disappointed by their success; it did not make them happier. In England the recent performance of a great act of justice made it impossible to get anything more done for Ireland. Irish affairs still caused uneasiness to statesmen, but more because they affected the stability of ministries than from their own importance. Mr. Plunket had foretold, in 1821, that the waves would not immediately subside when the storm of agitation should cease; and after eight years more of it they were still less likely to do so. The whole nation in the meantime had been educated to politics, and the landlords had been, politically, deposed by the priesthood. By defending an untenable position for many years, the party of resistance had thrown a great victory into the hands of Mr. O'Connell and his followers, and it was not at all surprising, or, indeed, unjustifiable, that they should follow it up with what has since resembled a pursuit rather than an advance. At the Clare election Mr. O'Connell had sketched out the programme of agitation. It included Reform, Abolition of Tithes, Repeal of the Subletting Act, and, as the grand impossibility—which it is always well to have in reserve—Repeal of the Union. With this considerable stock-in-trade, the Catholic Relief Bill of 1829 by no means produced the hoped-for bankruptcy of Irish agitators.

The most continuous and defined thread in the history of the following nine years was the Tithe Question, and what accounts for this is, that it was also the least artificial subject of popular discontent. From the increase of population the people were rapidly growing poorer, and consequently more sensitively alive to any burden, however trifling. A slight potato failure, like that which occurred at the

beginning of the century, a premonition of the great blight, caused an intensity of want and suffering which the uneducated naturally set down to those things commonly pointed out to them as their grievances. The union with England, and the taxation to support the English Church, were saddled with the blame of all they endured. No doubt the latter, which ought to have been considered as part of the rent, into which it was afterwards confused, did press heavily on the people, as with the increase of numbers, and probably also a diminution in the wealth of Ireland, the share of each individual in the general dividend grew less. The tithes in collection were more oppressive than rent, owing to the neediness of the clergy and the unprincipled agents they were obliged to employ as collectors, the tithe proctors standing in much the same relationship to the Irish that the publicans did to the Jews. The landlord could afford to let the people fall into arrear, or was so far gone in ruin himself that he let his rents go with the rest ; but the clergy were neither reckless nor affluent. Besides this, the payment of tithes was demanded in the name of a religion not only, in the opinion of the people, false and destructive, but openly arrayed against their own. Accordingly, when they had reached a state in which the least burden became oppressive, the wrath of the peasantry was turned against tithes. If the grievance had been confined to the farmer class it would not have been so dangerous ; but owing to the infinite subdivision of land, the annoyance of tithes was brought home to the whole population. A *money* payment was particularly felt, because the Irish lived, not by wages, but by patches of potato land. Work was only to be procured by a few (and then at fourpence a-day) on gentlemen's demesnes—the other employers having divided and subdivided their farms, first down to the point at which they could do their own work, then to being of that class which is itself in need of employment. Although, therefore, the same conditions made the tithes of each extremely trifling in amount, yet owing to the scarcity of money the compounded tithes were a harassing burden to the poor, while tithes uncompounded were, in their nature, still more intolerable.

Without entangling ourselves in archæological researches with respect to the tithes of the Irish Church, we may here briefly state that by the Act of Parliament which imposed the necessity of using the liturgy of the Church of England on the Irish clergy, tithes were transferred from the Church of Rome to the Church of England. But during the period of confusion that followed it was almost impossible to levy them ; and the holders of benefices, who lived for security within the pale, or else in England, were glad to take anything they could get. The consequence was, that at the beginning of the 18th century a very small proportion indeed of the ancient tithes were possessed by the Irish branch of the Established Church. In 1730 the clergy revived their claim to tithes of agistment, that is, tithes levied on pasture land ; but the Irish parliament intervened, and in 1735 such a law was passed as practically did away with tithes of this description. In 1810 and the two following years unsuccessful motions were made for an inquiry into the collection of tithes ; but in 1816 a committee for that purpose being appointed for England and Wales, on the motion of Mr.

Peel its operation was extended to Ireland. These deliberations, however, were attended by no result until the year 1823, when a bill for legalizing the composition of tithes was introduced by Mr. Goulburn. It was intended by the Government that the bill should compel the clergy to accept a composition, that is, a pecuniary payment instead of one in kind, for a period not exceeding twenty-one years. In this shape it met with such violent opposition that it was necessary to modify it from a compulsory to a permissive enactment, and as such it was attended with the best results. Nothing could have been more vexatious than the levy of tithes in kind, the tithe proctor invading the fields of the peasantry and deliberately selecting as his prey the best ridges of potatoes and stacks of corn. This method of procedure naturally created bad blood, and led to violence and illegal resistance; and even the partial change introduced by a simple permissive bill had a tranquillizing effect on the country.

Such was the position of the Tithe question in 1829. It was the steadiest of those lights which Mr. O'Connell set dancing before the impetuous and heated people of Ireland, and absorbed some of the ardour which would otherwise have been spent in pursuit of Repeal of the Union. In England Reform was already looming in sight—Roman Catholic grievances, a great measure of Relief having been passed, were thrown off the parliamentary conscience—the Tory Ministry was sinking—great exasperation was felt against the Duke of Wellington and Sir Robert Peel by their own party—and revenge, in the shape of a Reform Bill, was brewing against the nomination boroughs, by the operation of which the Catholic cause had triumphed. There, too, a tremendous agitation—to which the distress consequent on the contraction of the currency by the withdrawal from circulation of small notes (1829) added violence—was fast arising, and gave Englishmen enough to think of between their own shores. The Irish Roman Catholic party contributed a compact phalanx of members to the majority, that compelled their emancipators to resign, and put Lord Grey's ministry in their room. But they had their own subjects of agitation, and took no real interest in Reform, which for them was certain to be in the direction it has generally taken in Ireland, whenever England took a step forward, a step back in the sister country. A rumour got abroad that Lord Grey was about to bring in a Bill for the abolition of tithes. The consequence was a general refusal to pay them, in which the people were encouraged by their clergy. Those who did so were denounced as helping to maintain falsehood, just the ground on which, since then, the Maynooth grant has been opposed in England. We have already alluded to the distress caused by a partial failure of the potato crop; and this, along with the effect of the change in the currency, and the injunctions of their priests, made the refusal to pay general and determined. The Protestant clergy, on the other hand, were justified in enforcing their legal rights, and had no choice between doing so and actual starvation. So the "Tithe War" arose, the clergy calling in the aid of police and military, the people hunting down the tithe proctors like wild beasts, and in several instances attacking large escorts of police, inflicting, and of course sustaining, considerable loss. They were an overmatch for the powers of the law in this struggle; scouts, swift of

foot, gave warning of the approach of the legal spoilers ; in a few minutes everything available was removed, and, rather than let their crops fall into the hands of those who came to seize them, they preferred to devastate their fields as before an invading enemy. And not only were tithes withheld, but reprisals were inflicted for the attempt to levy them. The clergy had their property destroyed, their cattle houghed, and in many instances their houses were attacked and they and their families murdered. In the most disturbed parts of the country it was necessary to fortify the glebe houses ; the lower windows were built up, and such precautions taken as would enable the inhabitants to stand a midnight siege. Nor were attacks made upon the clergy alone, but those who paid tithes were persecuted alike with those who demanded the payment. The result was that the attempt to levy them at the point of the bayonet was a total failure. In some dioceses, particularly in Cashel, Emly, Ossory, Ferns, Leighlin, and Kildare, tithes were practically abolished for a couple of years, not by law, but by will of the people. The clergy were reduced to great poverty in the counties of Tipperary, Kilkenny, King's County, Queen's County, Carlow, Kildare, and Wexford. Many of them were only saved from starvation by the assistance afforded by the country gentry, who sent them from time to time presents of sheep, coals, potatoes, or money. At the same time the whole country was in great distress ; a sum of £50,000 was voted to relieve the starving peasantry ; and of course Mr. O'Connell was in an unusual state of activity, and his Association, under one or other of its many titles, in full eruption. Mr. Stanley (Lord Derby), the Chief Secretary for Ireland under the Whig Government, considered it necessary to subject "the Liberator" to a prosecution under one of the Acts (against unlawful assemblies) passed to restrain the excesses of the agitators. The indictment included several minor offenders, but although a conviction was obtained, the Government, as Mr. O'Connell boasted on a public platform, were afraid to call him up to receive sentence, and the Act which sustained the prosecution was allowed to expire. Meanwhile, committees of both Houses were appointed to examine into the tithe question. Mr. Stanley was chairman of the committee of the Lower House. Lord Lansdowne brought up the Report of the Lords. It was advised that an advance should be made to the starving clergy of the tithes due on 1831, without prejudice to arrears of longer standing, which they might collect if they could ; nor did the Statute of Limitations apply to tithes. The one year's arrears due in the five dioceses already mentioned, which were the principal defaulters, amounted to about £84,000. The Government was to have power to recoup itself by a levy of the arrears advanced, but ultimately, out of £1,000,000, only about £12,000 was recovered, and then the attempt was abandoned. The years '27, '28, and '29, were to be taken as criteria of the amount to which the clergy were entitled. It was also reported advisable that tithes should be commuted for a charge on land, "both to secure the interests of the church and the welfare of the country." It was most unfortunate for the church that its friends saw fit to oppose this advice, which, had it been acted upon, would have strengthened, if not secured, its position against future assaults. Mr. Stanley



brought in three bills, embodying the recommendations of the committees. One was for the redemption by the landlords of the tithe composition at sixteen years' purchase, and further leave was given by the bill for their purchase by the State. At sixteen years' purchase the tithes, which were estimated at £600,000 a-year, were worth £9,600,000. This bill was allowed to stand over. The other two passed into law; one, establishing Commissioners for assessing the value of tithes, abolished all the modes of collecting them in force, and gave the power of proceeding against the landlords by civil action; the other, to ascertain claims for arrears, make advances, and take securities for repayment. It was probably owing to the pressure of the Reform question that tithe commutation was not settled at the same time; but Reform was the great question of the moment, and eclipsed every other. A settlement involving so much effort, excitement, and sacrifice, is generally followed by a lassitude of the public mind. The attempt of the Lords to "stem the current of democracy" had only proved the strength of the current and the weakness of the barrier, and had been succeeded by an outburst of popular violence in England which almost surpassed any similar movement in Ireland. The consequence was that Lord Grey, in 1832, carried the bill through the House of Lords by a majority of seven; but a motion to postpone the disfranchisement of rotten boroughs having been carried, and the King having refused to swamp the Opposition by the creation of new peers, the Ministry resigned their charge of the bill, and informed his Majesty that they only held their places pending the appointment of successors. The King gladly sent for Lord Lyndhurst, who advised him to consult the Duke of Wellington. The Duke threw the responsibility on Peel. Meanwhile, the House of Commons passed a resolution praying the King to call to his council such a Ministry as would foster the bill. There was no choice, therefore, but to recall Earl Grey, and the Reform Bill was immediately carried. In the agitation by which it was forced upon the Peers, Mr. O'Connell had borne his part; and to the compact body of Irish members who followed him as their leader, the Government were indebted for their majority in the House of Commons. Nevertheless the measure for Ireland introduced by Mr. Stanley was in a retrograde direction. The counties, which contained seven million inhabitants, had sixty-four members; and the six or seven hundred thousand of the boroughs absorbed the rest. The bill did not tend materially to change this inequality; and while it reduced the number of county voters to about 52,000 by raising the qualification to £50 for occupiers and £10 for leaseholders having leases for ninety-nine years, by raising the franchise in boroughs from £5 to £10 they were made close. The bill was warmly opposed by O'Connell and Shiel as decreasing the constituency, and giving an advantage to the Protestant section which was as superior in property as the Roman Catholic in population; and they urged the resuscitation of the forty shilling freeholders, whose political extinction had been a *quid pro quo* for Catholic emancipation. But all their attempts to liberalize the measure failed, and the only concession was that Masters of Arts should be qualified to vote in the university, which received one additional member out of the five added to the representation of Ireland.

In the year 1834 the measure which Mr. Stanley introduced in 1832 for the redemption of tithes was re-introduced by Mr. Littleton, then Chief Secretary for Ireland, the period assigned for redemption being from fourteen to twenty years. This attempt to settle the question failed; and Lord Grey having been forced to resign in consequence of his determination to continue the Act against unlawful assemblies in Ireland, in the following year the King dismissed Lord Melbourne's Ministry, and summoned the Tories to his councils. Sir Henry Hardinge's bill to abolish tithes in consideration of £75 for every £100 of composition, to be redeemable, and the proceeds invested in land or otherwise, fell through, owing to the speedy dissolution of the Tory Ministry. Sir Robert Peel's hundred days' premiership was brought to an untimely end by the success of Lord John Russell's resolution to appropriate to secular purposes the surplus revenues of the Irish Church; and, in accordance with this, when Lord Melbourne's Ministry was reinstated, Lord Morpeth brought in a bill containing the famous appropriation clause. By the sequestration of all benefices not containing fifty Protestants, a large amount was to be made available for education. This had, in the year 1831, been put upon a national basis, in accordance with a plan proposed by a Commission in 1825, and for some years suspended in the intentions of the Whigs. Perhaps this is a good opportunity for devoting a few words to education in Ireland, as it was now for the first time proposed that it should come in for the spoils of the Established Church. Previous to 1831 the only educational agencies were the Kildare Place Schools (established 1817), to which, at one time, it seemed possible the Roman Catholic bishops might give their adhesion, and the Hibernian School Society, which did not receive, like the former, public assistance. This most inadequate machinery for the education and civilizing of Ireland was entirely under the control of the Protestant landlords and clergy. On the establishment of a national system, presided over by a mixed board of seven Commissioners, including the Duke of Leinster and the Protestant and Roman Catholic Archbishops of Dublin, a system, based upon a principle of common Christianity, and forbidding the clergy or others to interfere with the religion of children of other denominations than their own, was almost unanimously rejected by the Irish Church. They objected to everything in the new system that made it acceptable to the Roman Catholics. Nothing less than the admission of the whole Bible would satisfy their consciences, and that not only at specified times, but at every hour of the day. They objected to what they considered a mutilation and garbling of Holy Scripture, and the extracts being in some instances from the Douay version. The permission to the Roman Catholic clergy to give separate instruction to children of their own persuasion was objected to as encouraging "popery," and interfering with their right, as clergy of the religion by law established, to consider every man's child their own. The Roman Catholic element in the governing body was another stumbling-block. These grounds of objection, whether they did or did not justify the secession of the Established clergy from the established system of education, and their setting up educational dissent, undoubtedly showed them to be a highly conscien-

tious body of men, ready to make great sacrifices for the sake of principle, and firm in their allegiance to the Word of God. It may be imagined how difficult they found it, where Protestants were few, to support their own denominational schools in rivalry with those of the National Board; but they have continued to do so for nearly forty years, principally out of their own incomes, with the assistance of £13,000 a-year devoted to the salaries of parish clerks. Besides entailing upon themselves the support of their schools, they also had the mortification of seeing the children of the Roman Catholics receiving a greatly superior education to the children of their own flock: for although the Kildare Place training school turned out many excellent masters and mistresses, they were admitted to be inferior to those who issued from Marlborough Street, and in a very large proportion of the Church Education Schools the teachers were without any training, and the system of inspection, as we can testify, was lamentably deficient and unreal. Nevertheless, for principle sake, they allowed almost the whole education of the country to fall into the hands of the Roman Catholics, so much were they opposed to their having anything to do with it. Introduced by the great conservative chief when he occupied the post of Chief Secretary under a Whig Government, the national system of education has, until the confusion of all old lines which has lately taken place, been under the patronage of both parties in the State; and neither Sir Robert Peel nor the Earl of Derby offered any encouragement to the Irish clergy in their attitude of resistance. On the contrary, the small minority who, on principle, supported national education, received most of the good things which Government had to give away, and the majority saw themselves to a great extent shut out from preferment, and passed in the race by men whom they charged with time-serving and dishonesty. It is needless to say that the clergy who supported national education were as honourable and principled as those who opposed it; but when will men—even clergymen—learn to be charitable? In forty years we have seen Ireland educated, and, to a great degree, civilized by the system introduced by Mr. Stanley, which it was fondly hoped, by bringing the children of the nation together in the same schools in that hour when friendships are formed, the principle of association most active, and religious animosity undeveloped, the generation that should arise out of them should be welded together, and Ireland should no longer contain two hostile nations. But this glorious dream was frustrated—if, indeed, it was more than a dream—by the stern refusal of the Protestant clergy, no matter how desirable the end, to consent to what they considered ungodly in the means. And what was the consequence? The inhabitants of Ireland became more distinctly two nations than ever, the Protestants more intensely Protestant, the Roman Catholics more intensely Romanist, and the Bible, to honour and glorify which was the whole desire of the clergy, was made loathsome in the eyes of those upon whom it was intended to force it. Happily the day has now gone by, but we can ourselves remember a time when Bible-burning was common among the Roman Catholics. The proposal, then, to appropriate to education the surplus funds of the Irish Church was, in point of fact, a proposition to give it to Roman Catholic education, to

devote it to a purpose from which the Protestant minority would receive no direct benefit. The Appropriation clause made Lord Morpeth's bill unsuccessful in passing the House of Lords, and again caused its rejection in 1836 and the year following, on which latter occasions it appeared without the redemption clauses. In 1838 resolutions were carried by a large majority in the House of Commons, which, owing to the unfortunate circumstance that Sir Robert Peel could not make up his mind to accept them, were not embodied in the bill introduced in the same year. They comprised the commutation of tithe composition for a charge of 70 per cent. on the first estate of inheritance; its collection by Government and application to local purposes; the surplus to go to the Consolidated Fund, out of which the clergy should be paid, through commissioners to be appointed for the purpose, and who should make a just distribution; the State to have power of redeeming the payment by sixteen years' purchase of the original composition; the purchase money to be invested and managed for the clergy by the commissioners. This was what was wanting to make the church safe by separating it from the land of Ireland and from all ancient endowments. But its friends were afraid; and, accordingly, a bare measure of commutation came out in the end, the reduction being reduced from 30 to 25 per cent. It was the result of a compromise arranged between the Conservative leaders and the Liberals, in order to put the two Houses in harmony, and to remove a political stumbling-block. The necessary evil was accepted of a diminution of income, but the proffered security for the peaceful enjoyment of what remained was rejected, as if the anomalous position occupied by the church was actually what she valued more than her substantial advantages. The landlords added the entire amount of the tithe composition to the rents of their tenantry, putting 25 per cent. into their own pockets for the trouble of collection—a tolerably good allowance; however, they received in return the unpopularity of exacting higher rents. There could be no more amazing proof of the ignorance of the Irish peasantry, and the ease with which they could then be duped, or else how much more they thought of their pride than of their pockets, that they never raised a murmur against paying through their landlords what they were ready to die sooner than pay in the shape of tithes to the clergy.

We have now traced the history of tithes;—first their transference from the Church of Rome to the Church of England; then their lying in abeyance; then the abolition of tithes of agistment, by which their burden was thrown off the grass-land demesnes of the gentry on the small culture of the poor; then their peaceful levy, until the penal laws which had made half the population of Ireland at one time conforming Protestants, and would, if they had been persevered in, have made the remainder the same, were gradually relaxed; then the rising spirit of resistance to the invasion of their fields and the seizure of their crops by tithe proctors, the bulk of the Protestant poor having by this time been lost by the negligence in spiritual matters, and the zeal in pecuniary, of the English clergy, and won by the silent working and self-sacrificing devotion of the Romish priests; then the permissive composition of tithes in 1823, by which a way was opened to the clergy of rendering the burden of their support less galling to the shoulders of



the people; then the tithe war, and the payment of a great host of rectors and vicars out of the national exchequer; then the attempt, by the Appropriation clause, to take something away from the church for secular purposes; lastly, the commutation of tithes to rent-charge. We have omitted to mention, as not connected with the tithe question, an organic change which was made in the frame of the church by Earl Grey's government in 1833. Twenty-two episcopal or archiepiscopal sees were consolidated into twelve dioceses, presided over by two archbishops and ten bishops. With the more important and living dioceses were grouped those that had less claim to independent existence. Thus Ossory, with its ancient cathedral of St. Canice, received Ferns with none. Dublin, with its two cathedrals, St. Patrick's and Christ Church, took in the diocese of Kildare, which had only a fine ruin. The archiepiscopal see of Cashel was reduced to a simple bishopric, and absorbed by Waterford. The province of Tuam was, at the same time, united to that of Dublin, so that but two archbishoprics remained. Dromore was associated with Down and Connor, thus forming the most important diocese in Ireland, containing a third of the whole church population. Elphin, Clonfert, Cloyne, Clogher, Killala, and Raphoe, were grafted into stronger stocks. Parishes where the Protestant population had disappeared were grouped together on the same system; and the revenues of the bishoprics and benefices thus suppressed were handed over to an ecclesiastical commission to be administered for church purposes, such as building and repairing churches, paying parish clerks and sextons, and supplying church requisites. A reduction might have been made with advantage in the number of Irish dignitaries, many of whom enjoyed empty titles, to which, in some cases, instead of revenue a small charge was attached. The crowd of unreal dignitaries tended to the depreciation of the offices they held. Titular archdeacons, and deans without cathedrals, prebendaries lacking prebendal stalls, and precentors whose choirs were non-existent, impressed upon the whole church a character of hollowness and unreality. Those things which decay are ready to vanish away; and such meaningless titles rather lead us to such a conclusion with regard to the institution in which they were found to prevail. If all the rotten timbers of the church had been removed at that time, when the Whigs were as little inclined for her destruction as the Tories, if, by the friendly efforts of both parties her maintenance had been put upon the consolidated fund, she would now be standing unassailable; but the fear of meddling with what was felt to be in an unsafe condition made her friends resist the remedy, and await the inevitable issue of the process of decay.

Within the period we have traversed in this chapter another measure was undergoing gestation, namely, the Municipal Corporations Act. The Roman Catholics had hitherto been admissible to corporations in Ireland, but were seldom if ever admitted. The object of this measure was to place municipal elections upon a popular basis. It was twice carried by Lord John Russell in the House of Commons, and twice abandoned upon the House of Lords raising the qualification to £10. In the year 1840 the Lords' amendment was accepted and the bill passed.

Another important measure that lies within our limits was the bill based upon the suggestions of Mr. Nicholl's committee to establish a hundred workhouses to provide for the immense number of Irish poor who previously lived by begging, and swarmed like locusts about private houses and in the streets of towns and villages. As a better opportunity will arise of considering the Irish poor laws, we will only now add that this bill, which was introduced and passed in 1837, having stood over to the following year in consequence of the death of William IV., then became law, notwithstanding the strenuous opposition of Mr. O'Connell and his friends.

## CHAPTER VIII.

Repeal Agitation—Father Matthew—Monster Meetings—The Clontarf Meeting prohibited—Mr. O'Connell's trial—Annulled by the House of Peers—Arguments for Repeal—The Irish Constabulary—The Queen's Colleges—Increase of the Maynooth Grant—Inadequacy of the remedial measures—Growth of population—Rise and increase of Absenteeism—Agents—Ribbonism.

WE have now left behind some of the most remarkable landmarks in the modern history of Ireland, the last of these being the group of three measures which the Whigs presented to the Irish party in 1838 and the two following years as the fruit of their long connection. The four years which immediately follow merely form the prelude to a great national tragedy. The progress of events which they comprise can be briefly told, and we must then devote some space to a consideration of the internal condition of the country, and to the sad changes gradually taking place in it. In the year 1841 Repeal of the Union was hotly agitated in Ireland, but it was not until the defeat of the Ministry, which had so long been held in power by Mr. O'Connell, and the accession of Sir Robert Peel, that it assumed its full violence. The Repeal Association was founded in 1842, and the rent collected by its organized machinery amounted to £3,000 a-week. Father Matthew, the great apostle of temperance, had, in the previous year, succeeded in working a wonderful reformation, and hundreds of thousands had taken a pledge to abstain from intoxicating liquors; and so great was his success that the consumption of whisky temporarily sunk (though it afterwards rose to double the original amount) from ten to three millions of gallons annually. The savings thus effected were thrown into the treasury of repeal, and to this the poorest labourer, earning 4d. a-day, gladly contributed; and farmer and labourer gathered in from a circle of twenty miles to attend the monster meetings at which the Irish tribune descanted upon the wrongs of the country, and promised a future of national independence. It is said that there was an attendance of a hundred thousand men at more than one of these meetings, the scenes of which were Trim and Mullingar, in the county of Meath, the wild mountain of Slieve-na-Mon, in the county of Tipperary, and the grassy hill of Tara, where the Irish crowned their ancient kings, and the apostle of Ireland converted its monarch and taught him the doctrine of the Trinity by the shamrock. At the last-named meet-

ing, held on the 15th of August, 1843, the number present was estimated at a quarter of a million, and the scene upon that usually sequestered spot, with its dreams and associations, is described by those who witnessed it as most strange and exciting. Such enthusiasm might well overpower the calmest reason; but those who came from all parts of Ireland to this national assembly to hear Mr. O'Connell and the other repeal orators were not calm reasoners; and so intense grew the excitement that the agitators themselves were alarmed lest it should assume that tangible form in which the government could deal with it summarily. A few days after another meeting was held at Roscommon, which was also attended by multitudes of the peasantry, a great number of priests, and many persons of influence in the west of Ireland. The government did not in any way interfere with these proceedings except to guard against a disturbance of the peace by having a sufficient force of police and military at hand, though out of sight. They, indeed, removed from the commission of the peace several magistrates who actively took part in the agitation, a step which they could scarcely refrain from if the law deprived the people of Ireland of the right of public meeting. So the summer passed in noise and political turmoil, and it was determined to close the campaign with a great demonstration in the vicinity of the metropolis, which should make a strong impression on the public mind, and manifest the strength of the association. The summons sped through Louth, Meath, and the metropolitan county, calling on the people to meet at Clontarf, two or three miles to the north of Dublin. It is a spot famous for the victory gained over the Danes by Brian Boru, one of the most distinct figures among the early kings of the country, whose enlightened education, acquired in the monastery of Innisfallen, on the Lakes of Killarney, is probably less mythical than his extraordinary prowess. Associated with one of the few victories they have been fortunate enough to win in their own country, and with the only very distinguished Irish king, Clontarf was not badly chosen for a meeting to revive the national independence. The Government, however, wakened up at the last moment, and having permitted the meetings to proceed all through the summer, issued a proclamation forbidding the people to assemble; and this was followed by another proclamation, emanating from Mr. O'Connell himself, in which, though he spoke of the government manifesto as a loosely worded document, issued by certain obscure persons, he counselled submission to an odious and oppressive decree. Early on the morning of the 8th of October, Clontarf was occupied by a considerable force of horse, foot, and artillery; the guns of the Pigeon House Fort were turned upon the Dublin Road, and large bodies of constabulary were placed to intercept and turn back the myriads that drew around the place and choked every approach. The people returned to their homes—the troops and constabulary to their barracks—but the Government were not content with coming off victors in this second battle of Clontarf; they determined that Mr. O'Connell, who had successfully dared so many governments, who had once been actually tried, convicted, and yet went unpunished, should this time be effectually humbled. He had long been looked upon as a sort of Samson among the people of Ireland, one who could, with perfect

safety to himself, defy the Philistine nation by whom they were enslaved; and so the Philistine Lords now determined on clipping the champion's locks. He was arrested, with several other chiefs of the Association, and put on his trial for promoting an unlawful assembly; and notwithstanding the ingenious devices of counsel to retard the trial, the Government showed great determination in persevering with it, and bringing their contemptuous adversary to punishment. We must reserve an account of the particulars of this trial for our memoir of Mr. O'Connell. We can only say here, that it resulted in his conviction, and a severe sentence being passed upon him by Judge Burton, sentences of less severity being passed upon the other agitators, who were also convicted. They were all sent to prison; and it was not the fault of the Government that they did not remain there. The fury of the multitude was terrific, and nothing prevented a general outbreak but a proclamation issued by Mr. O'Connell from Richmond Bridewell, exhorting the people of Ireland to remain quiet, and promising them that in a little time an Irish Parliament would be sitting in College Green. Then the people betook themselves to prayer, and Sunday, July 7, was appointed for that purpose in the Roman Catholic churches throughout Ireland, though in the province of Dublin this religious demonstration was forbidden by the archbishop. Mr. O'Connell's imprisonment did not last long; the validity of the proceedings on his trial having been impeached, though sustained by the Court of Queen's Bench in Ireland and the opinion of the twelve judges of England, they were declared void by a majority of law lords in the House of Peers. He was accordingly set free; but the spell was broken. The hitherto invincible champion had suffered a decided defeat from the Government, and never again recovered his prestige. Thus may be said to have ended the great Repeal agitation. It never had the remotest chance of succeeding; and when the question appeared in the House of Commons (this, it must be admitted, was when the tithe question was uppermost), the number of its supporters was 38, and the number of its opponents 523. The most valid argument advanced by Mr. O'Connell was founded upon Absenteeism and all its attendant evils; but it was not at all so clear that Repeal of the Union would remedy the evil as that the Union had occasioned it. The Irish gentry having become accustomed to the more vivid and cultured society of London, could never be allured back to Dublin by the assembling of a provincial Parliament, which could not, if reinstated, hold the position it formerly did before its seduction and ruin by Pitt and Castlereagh. The nobility and gentry of Ireland would neither desire, nor most probably obtain, admission to a reconstituted Irish parliament; and it would most likely be composed of other materials which would not do credit to the country. Mr. O'Connell always declared that he did not desire separation; but were the reins intrusted to a native parliament, it is impossible to say what they would drive to; and it is quite conceivable that the possession of legislative independence might enflame instead of allaying the desire for separation. The degradation involved in the concerns of Ireland being dependent on English intrigues, English interests, and the English aristocracy, was galling enough at an earlier period, but all that was long passed away. We shall probably never see Mr. O'Connell's dream



realized in its entirety, although a Provincial Parliament, similar to the State Legislatures of America, might be conceded with possible advantage. It has also been suggested that a short session of the Imperial Parliament from time to time in the Irish metropolis would be attended with the best results, as it would doubtless be attended with considerable inconvenience to the heads of departments who would be torn from their bodies; nor can we overlook the desolation it would cause in the English law courts, and the disturbance of Aldermen from the city. But such objections are evidently not insurmountable; and Church and Social Science congresses, and meetings of the British Association have showed on a small scale what might be done on a great for the attainment of an object of such immense importance as gratifying the national vanity of Ireland. The presence of the Sovereign would of course be an accompaniment; and it would then be found that the Irish are still as capable of loyalty as they proved in the troubles of the House of Stuart. The return of the chief absentee would be followed by the return of lesser ones. And the Land Question of Ireland, which now looks so formidable, might be solved on easy terms.

The magnitude and violence of the Repeal Agitation, and the great prevalence of crime, obliged Sir Robert Peel to strengthen and re-constitute the Irish Constabulary force—which derived from this fact the soubriquet of “Peelers;”—though less successful in the detection of criminals than the similar English force, no doubt partly owing to the great conspiracy in Ireland to conceal crime, yet with the ignoble though necessary aid of informers and spies, they answer this purpose sufficiently well, and constitute in addition a sort of army of occupation. We may here take occasion to say that through the horrors of the famine and pestilence they performed services on which we can dwell with unmixed pleasure; and although generally engaged in the most invidious duties and faithful in the performance of them, the Roman Catholic portion of the force being trusted by the police officers equally with the Protestant, they have never become unpopular with the Irish people.—Two measures which were passed on the eve of the great calamity about to overtake Ireland demand a brief notice. One was the establishment of three colleges for the promotion of secular education. They carried the principle of the National system to the length of being wholly without the religious organ, and were stigmatized by their opponents as the “Godless Colleges.” On this ground Mr. Gladstone separated from the government; because, “having borne solemn testimony” to the importance of the union of Church and State, he could not be a party to a violation of the principle. It is remarkable that Mr. O’Connell in the House of Commons, and the Earl of Shrewsbury in the Peers, protested against the measure for the same reason; but Sir Robert Peel succeeded in carrying it, £100,000 being granted for building, and £18,000 a year for endowing his three colleges, lights placed north, south, and west, in the land where the rays of Trinity College in the east could not freely penetrate. Belfast College has been the most successful of the three, and has proved a great boon not only to that prosperous and education loving city, but to the Presbyterians of Ulster generally, whether Unitarian or “Old Light.”

Galway College in the west, and Cork College in the south, though most ably conducted, have not attained to the same measure of success, owing to the want of concurrence on the part of the Roman Catholic clergy, the less thirst for education in those parts of Ireland, and the prestige of Trinity College, Dublin. In another educational development Sir Robert Peel met with considerable opposition from many of his own adherents; viz., the increase of the grant to Maynooth from £9,000 to £26,380 a-year. It is most questionable whether in providing an adequate native substitute for the Colleges of St. Omar and Salamanca, where a large portion of students for the priesthood were at that time still obliged to resort, he did a real service to the Roman Catholic Church; but it is quite certain that the effect was to make the priests much stronger in their politics, and less independent of foreign influence. But already, while men were disputing about such rose water measures for the improvement of Ireland, the shadow of the great famine had fallen upon the land. We present our readers with the following terribly significant figures showing how and to what height the increase of population had proceeded, while the wealth of Ireland was diminishing; manufactures decaying; trade stagnant; capital frightened away by the unsettled condition of the country and the increase of crime—the committals for serious offences in 1846 amounting to 31,209. Here are the figures:—

Population of Ireland in	1805,	5,305,456
"	"	1815, 6,142,972
"	"	1825, 7,172,748
"	"	1835, 7,927,989
"	"	1845, 8,344,142
"	"	1846, 8,386,940

Mr. Nicholl's Report, made some ten years before the famine, stated that of this enormous population two and a-half millions were paupers; and the greater part of the remainder depended for existence on a single root crop. Of this there had already been three premonitory failures, which showed the possibility of a failure that would leave the nation face to face with a famine so universal that it would be impossible to cope with it. Meanwhile Absenteeism had gone on progressing, and the people of Ireland threatened with this awful calamity were left more and more alone, and isolated from the sympathy of those who were their natural guardians. The secession of the gentry had begun immediately after the Union. Dublin had first felt the effects of that measure. When the Houses of Parliament closed, to open again not inappropriately as the Bank of Ireland, the halls of the departed senate evermore to be haunted with the clink of money, where the independence of Ireland was bought and sold, the aristocracy began by giving up their town residences; and soon followed up their desertion of the metropolis by the desertion of their estates. The centre of fashion and aristocratic life which parliament had fixed in Dublin being removed across the water, the minor magnates followed the lead of their superiors; and those who had acquired titles and fortune in the transfer of power to England went thither to display the spoils of their country. Thus Absenteeism took its rise, to the great amelioration of the gentry

themselves, who were indeed much in want of some purifying influence to remove the mire through which they had just passed, as well as to soften and humanize them.

In our brief account of the rebellion of '98 we depicted the cruelties practised by the rebels; but there is another side to the picture which we felt had better, for all good purposes, be kept with its face turned to the wall. We will only say here that the conduct of the Irish gentry was inexcusable; while for the acts of a dark, long tortured and insulted peasantry we may make the same allowance that we do for the deeds of madmen. Lord Cornwallis, a veteran soldier, said, in writing to a member of the English government, that the horrible conversation which went on at his dinner-table often made him shudder; and that the spirit of the magistracy and gentry was absolutely diabolical. In one sense the happiest effect of the Union was that it sent these barbarians to England to be educated into humanity; but when their education was completed they did not return. Henceforth they ceased to be Irishmen, and what they gained in culture they lost in sympathy with the people and knowledge of their wants and feelings. The Irish Protestant gentry felt on going back to England after three hundred years that they were returning to their own country. The agents whom they appointed to rule in their stead were often (though a widely different class has since sprung up) men of little education, and less humanity. Often sprung from the peasantry, and serving a noviciate as bailiffs, they united servility to their masters with a brutality of manner which they copied from them, or rather caricatured. These men were responsible for the collection of the rents; and to extract them from a population sunk so low, it was necessary to make use of the full rights of property. There was nothing to save the people from these terrible inquisitors, who had to build up their own fortunes as well as find the rents for their employers. The landlord living in London had no idea that the gold he spent on his carriages and liveries was wrung like heart's blood from the people; and that his pleasures were provided for by untold misery. It was not the interest of the agents to let the horrible means that they were obliged to make use of disturb the affluent happiness of those whose estates they administered; and they took chance in their profitable pursuit of getting a bullet through their heads. Eviction and distraint were their instruments, and it was necessary to use them with a determined unsparing hand. Men whose forefathers had cultivated the same soil from before the English conquest until it was thick with their dust and enriched with the sweat of their brows, were turned out to beg about the roads. It was only by slow degrees that the peasant farmers could be made to understand by repeated proofs that they might be torn from the soil of which they seemed to be a part by the laws of nature; and their first alarm and amazement were soon succeeded by rage and despair. They conceived themselves, in resisting such a dispensation, fighting for their homes and hearths; and considered it lawful in the sight of God to stand up in defence of their supposed rights even to the shedding of blood. But open resistance was in vain; they must carry on their war by a secret society; a sort of *Fehm Gerichte*. The obnoxious landlord or agent was tried

and condemned in secret consistory; the executioners chosen by lot; and the sentence carried out often in open day, in the presence of numerous witnesses; and yet, owing to the universal sympathy, if not complicity of the population, it was almost impossible to find a clue to the perpetrators or prosecute them to conviction. Such was, and is, the Ribbon Society of Ireland; and it is sad to think that this naturally loveable and gentle people should have been by any means perverted into looking with approval on secret assassination as a means of redressing their wrongs. We must speak gently, because we are speaking of a great portion of a nation, a nation in which disregard of the sanctity of human life has been bred by a degree of misery that rendered it intolerable; but to those who believe in divine retribution it will seem as if a curse upon the ground had been brought down by the blood of Norbury, and many others put to death by the Ribbon Society, crying for vengeance. We cannot think, however, that Ribbonism would ever have acquired the power it has done (for we must not conceal from ourselves that it did to a great degree achieve its purpose of checking eviction, partly by attracting public opinion, and partly by arousing the attention of landlords to the doings of their underlings) if the gentry had remained among their people and kept up the old feudal ties. Such an experiment was never tried before as an aristocracy and gentry exercising the full rights of property from another country.

Thus fast in the clutches of agents, their landlords out of earshot, struggling desperately to hold their land, but unable to pay the rack-rent under which they held it, with all the powers of the law, supported by military and police, and whole armies of bailiffs, drivers, "grippers," and process servers, arrayed against them, carrying on an irregular warfare, in which, while the agent came down with his overwhelming forces in open day, they fired from behind hedges on a lonely road, or shot at him through his shutters from the dark night without,—murdering, and in turn being remorselessly driven out on the roads with their children, the Irish people were unconsciously approaching nearer to their doom. Struggling as it were in the darkness to the edge of a precipice over which both should fall, went the owner and the occupier of land. The curse of God, as in the old time, had already lit on the ground for which they strove. The stern exactor of rent was about to be defeated in a way he never dreamed of; the landlord, who spent in the gaiety of London or Brighton the blood-stained money that came over to him from Ireland, to be involved in a common ruin with the miserable men who were plotting murders, and too often executing them, on his Irish property. All who were connected with property in Ireland were destined to share in the effects of the impending disaster, as all deserved to do so. There are those who deny that such calamities are divine judgments on the earth, or that the shadows which fall on the world proceed from the great source of light; but even they must admit at least an apparent connection between the universal reign of murder and oppression in Ireland, and the change that came in the ground, and which for years made the potato rot in it until the atonement was complete. We have been careful to admit, and not to endeavour to dwindle the admission, that the guilt was not all on one side; perhaps we may even be accused of exaggerating the oppression of the



proprietor or his representative, and apologizing for the Ribbonman's lynch law. Far be it from us to do so; we only wish faithfully to represent the situation. The following passage occurs in Mr. Trench's work, '*The Realities of Irish Life*,'—"We can scarcely shut our eyes to the fact, that the circumstances, and feelings, which have led to the terrible crime of murder in Ireland are usually very different from those which have led to murder elsewhere. The reader of the English newspaper is shocked at the list of children murdered by professional assassins, of wives murdered by their husbands, of men murdered for their gold. In Ireland that dreadful crime may be almost invariably traced to a wild feeling of revenge for the national wrongs to which so many of her sons believe she has been subjected for centuries." These are the words of one whose life has often been sought by the Ribbonmen, an agent on the largest scale, and whose experience is unrivalled. And when in other portions of the same work we read a history of the measures which this most humane and enlightened agent was compelled to adopt with the people, we can form an approximate guess as to their treatment by less merciful, just, and conscientious masters. If we had space, we should quote Mr. Trench's description of his great raid into the barony of Farney, accompanied by magistrates and bailiffs, and a large body of armed police, to seize the cattle of the tenantry who had rebelled against paying a rack-rent. Since the raids of the Border robbers and Highland chieftains received so severe a check from good King Jamie, such an expedition has probably never been seen. "No sooner," he says, "had this formidable party appeared upon the roads in the open country, than the people rushed to the tops of the numerous hills with which the district abounds; and, as we moved forward, they ran from one hill to another, shouting and cheering with wild defiant cries, and keeping a line parallel to that in which our party was travelling." This expedition proving almost fruitless, as all the cattle had been driven away or locked up, and "not a hoof or horn was left in the whole country side," the grippers and process servers were next set upon the tenantry; but they were equally unsuccessful, and besides were soundly beaten, and ducked in bog-holes, by parties of young men dressed in women's clothes, called "Molly Maguires." Then an order was obtained for "Substitution of Service," and the attempt to post this on the walls of the Roman Catholic chapel led to a collision between the police and the people, in which several of the latter were wounded, and one killed by the fire of the constabulary. Thus the war continued to be waged: Mr. Trench ultimately bringing the tenantry to terms; but it is to his honour that he should have refused to continue in a position where such measures were necessary. Yet this state of things was general over Ireland, and rarely had the people to do with so humane and just an administrator. We are not therefore surprised at the prevalence of that "wild feeling of revenge" of which Mr. Trench speaks in the passage we quoted from the conclusion of his book. Those who were occasionally brought to justice and executed, thought they were dying for their country; and so thought a great portion of their countrymen. After all, it is doubtful if this be even an extenuation of their guilt, for no murderers are so much abhorred by mankind as those who murder on principle,—as for instance

the followers of Bowanee. But the extraordinary belief that their murders were heroic and glorious could only have sprung out of extraordinary circumstances—in other words, out of extreme oppression. We must therefore distribute the blame, and throw some of it on the agents and landlords themselves; and the awful calamity, to which we shall devote the next chapter, fell upon all classes of Irishmen.

The history of Ireland must be read with a constant reference of the mind to its peculiar circumstances, and to its unparalleled sorrows. The possibility, while the potato was sound, of existing with little or no exertion; the improvidence of the people in contracting early marriages,—an improvidence chiefly found among those who are already so poor that the fear of poverty does not operate; the equal improvidence of landlords in permitting infinitesimal subdivision and subletting of the land, the consequent overgrowth and extreme indigence of an insular nation,—the remembrance of all this will make us read Irish history charitably. Above all, we must remember that the Irish passed through a furnace of suffering in “the hungry years,” as they are still called, and in the forced emigration which ensued, that has left them a changed nation, partly for the better—partly for the worse. The events which preceded and followed the famine, the endless agitation, the pursuit of illusions, the magnifying of grievances, the otherwise unaccountable turbulence and excitement and violence which filled the land, the success of the demagogue, the influence of the assassin, were symptomatic of disease. And bearing this in mind, we shall regard leniently, and even with compassionate sympathy, the ravings, the violences, the political contortions, into which the people of Ireland have been thrown by unexampled sufferings. We must now enter upon the most painful part of our brief narrative, perhaps the most painful scene in modern history.

## CHAPTER IX.

1845—1847.

Dependence on the potato—The blight sudden—Sir Robert Peel's anxiety—His resignation—Return to power—Repeal of the Corn Laws—Activity of the Protestant clergy—Private efforts—Public works—Defeat of the Coercion Bill—Lord John Russell's measures—Blight repeated in 1846 and 1847—Severity of the famine.

THE Irish, before the events which we are now about to record, were living in the closest conceivable relationship to the soil. The existence of each family depended upon a small patch of potatoes outside their doors. The potato suited so well the climate and circumstances of Ireland, that a large portion of the land under cultivation was devoted to its growth. It required less pains to be bestowed upon it than any similar crop; flourished in the moist climate of the country on almost any soil; and needed no process of manufacture before being used as food.\* Hence it was, with the exception of a little oats, the

\* It was remembered afterwards that the potato rot had been foreseen and foretold; but what is there that happens or does not happen, that is not predicted by

only crop raised by small occupiers. As the holdings grew less and less by continued subdivision, the quantity of land under the potato steadily increased; the most part of each little patch being devoted to the production of a direct supply of food, and those crops which are raised for sale and the supply of luxuries, being almost wholly abandoned. Few Irish peasants ever tasted meat in those days; and we can remember when it was set before a large company of them at a dinner given by a landlord to the tenantry of his estate, the curious avidity with which, for the first time in their lives, they ate animal food. Having no more concentrated form of nourishment, the quantity of potatoes which they consumed was very great; it was truly surprising to behold the smoking heap poured out upon the table for a single meal, and which the family collected about it consumed in the simplest fashion imaginable. The peculiar characteristic of this description of food, that it took up so large a space in the system, caused the change to another kind of food containing the same amount of nutriment in a much smaller space, to have an extraordinary effect on the health of the nation, for which due allowance has never been made. Considering how much the individual is acted upon, and how strongly the disposition is affected by anything that disagrees with the system, the same cause operating upon a whole nation, is not to be disregarded.

At last 1845 came, with its burden of woe. A fine season gave promise of great abundance; the potatoes particularly were a splendid crop, and it was believed that those pits, resembling graves, in which the Irish were accustomed to store them up for the winter, would be unusually well filled. At the opening of the session of 1845, a passage in the royal speech which congratulated the Houses on the prosperous condition of Ireland, might be made the text of a homily. "I have observed with sincere satisfaction," said her Majesty, "that the improvement which is manifest in other parts of the country has extended to Ireland. . . . The political agitation and excitement which I have heretofore had occasion to lament, appears to have gradually abated." The beginning of August was fine; but about the middle of the month there was a heavy downpour of rain, accompanied by lightning; and it was remarked that the latter was of a diffused kind, slightly firing, as it seemed, the whole atmosphere. Immediately after, it was noticed that a peculiar stench arose from the fields of potatoes; their stems and leaves speedily withered and became of a black colour; and the apples containing the seed of the plant had fallen off prematurely. Then the

somebody? There were observers who fancied they perceived for twenty years a steady deterioration in the size and quality of the root; and it was mysteriously propounded, and has since been repeated in serious history, that it was "wearing out," we are left to suppose from over use. The culture, no doubt, had grown extremely careless, owing to the certainty of a fair return, no matter how little pains were bestowed upon it; and this caused the potatoes of the poor to run small, but can have had nothing to do with inducing the rot. In one sense the "wearing out" theory is less incredible; the plant was not propagated from its seed which is contained in the apple, and produces new species, different from the parent stock, but it was propagated, without renewal, from the root itself; this may have weakened, and so made it more liable to atmospheric influences. It was also suggested that the habit of cutting the potato into as many pieces as it had buds was weakening to the plant; and many people now sow it whole.

spade showed that a large proportion of the roots were wholly or partially black and rotten, unfit for human food. The part of the crop lost in the first year of the blight (1845-6) was variously estimated at an eighth, a quarter, and a half. Probably the last fraction represents the amount finally lost, and the first the portion that was found to be gone when the crop was dug out; for the disease proceeded in the storehouse almost as rapidly as in the ground. During a short interval the effect was felt only in the rise of prices, and as the extent of the failure became known, a feeling of vague uneasiness prevailed; but still the peasantry, accustomed to privation, and wont in the worst extremity to nail up their cabin doors and turn to begging, did not realize their danger. They were completely incapable of looking forward. But one man placed at the head of the state did look forward long and anxiously into the gathering darkness, and determined to make any sacrifice to avert what he, almost alone, foresaw would follow. One man, while the others slept, prayed that this cup might pass away from Ireland; and Irishmen should never forget to him the deep solicitude he displayed for their country on this occasion. Sir Robert Peel, from the time that accounts reached him of the prevalence of the disease, was deeply impressed with a sense of the responsibility which it entailed upon the government. He was in constant communication with the lord lieutenant, and spent day and night, as he afterwards told the House of Commons, in perusing reports from different parts of Ireland. The result was that he became convinced of the necessity of repealing the corn-laws, (a measure to which he had already been advancing in spite of himself,) and removing every restriction on the food of a people now entering into the skirts of a famine. He accordingly urged on his colleagues, but unsuccessfully, the suspension by orders in council of the duties on importation. They consented, however, to the appointment of a commission to inquire into the means best adapted to provide for the wants of the people, and to check the malignant fever which attended like a shadow on the footsteps of destitution. The cabinet met at the end of November to receive the report. It was proposed that Indian corn, which was the cheapest and most available supply of food that could in a short space of time be poured into the country, and the duty on which was regulated by that on British barley, should be entirely relieved from restriction; but Peel would not consent to abrogating the corn-laws in part, without doing so altogether. The consequence was his resignation and the dissolution of the ministry; but Lord John Russell being unable to form a cabinet, he immediately returned to the helm, with his hands free to carry out the policy which he considered necessary for the salvation of the country. How he fought the battle in parliament and carried it through the house amid an excitement seldom equalled in political life, belongs to English history, and is beyond the scope of a historical introduction. Then all over the world the grain-ships were laden to bring food to this famine-stricken island,—the united kingdom being the first country to adopt, under such inexorable pressure, those principles of free trade, destined to result in an enormous expansion of her commerce, and increase of her prosperity. But a supply of cheap food was not enough; it was also necessary to give the people of Ireland money wherewith to



purchase it; and for this purpose public works were set on foot, private benevolence was supplemented by grants of public money, and corn was bought up by the government and distributed to the people in the most distressed localities. A great amount of heroic charity was called out; gently bred men and women sacrificed health and fortune in struggling with the famine; spending their time in soup kitchens, and relieving the famishing peasantry. The Protestant clergy were particularly active in the work—and for once in the history of Ireland distinctions of creed were forgotten; the spirit of Christianity prevailed over the letter; the Roman Catholic priest and Protestant clergyman worked harmoniously together, fought the battle shoulder to shoulder, and many of them fell side by side on the same field. Two clergymen, the Rev. F. F. Trench and the Rev. Richard Chevenix Trench (afterwards Archbishop of Dublin) were foremost leaders in the relief movement, and by establishing soup kitchens or “eating houses,” as they were termed by their authors, in the southwest of the county of Cork, saved the lives of multitudes. From this time the animosity to the Protestant clergy died away; and, but for the attempts at proselytism, would have wholly ceased. We can remember the softened mood of the peasantry, and how it hardened again when unfortunately an unfair use was attempted to be made (not in the particular case we have mentioned, but in other parts of Ireland) of the influence so nobly acquired. In their efforts to relieve distress, the clergy were not alone; men of fortune had considerable works executed on their estates. Towers were built, which will be a puzzle to posterity unless some archæologist light on the explanation, that they mark footsteps of a great famine. The Government, in the winter of 1845, spent nearly a million in relief; but much that was laid out on public works might have been better expended. There was not sufficient care taken in the selection of overseers. The wages were so much beyond anything that had ever been heard of in Ireland, that many farmers forsook their land and took to stone-breaking; and it was necessary at last to lower the rate from 2s. and 1s. 6d. to 6d. a-day. The rule that the works were not to be such as would serve the interest of any of the proprietors of the district in which they were situated, while it did not prevent the perpetration of jobs, was a most stupid expedient for that purpose, and covered Ireland with follies. Roads were made that led nowhere, from no place, and bridges were thrown across rivers where there were no roads. However, the great object of saving the lives of the people was accomplished for that winter; the loss being chiefly confined to those who had been already so reduced by hunger and disease that they could not bear the exposure and hardship of the public works, coupled with the alteration of diet. In certain localities, also, where the destruction of the potato crop was total, it was impossible to be in time with help, and numbers quietly laid them down and died before the public or the authorities were aware of their destitution. In those parts of Ireland where the famine was very severe, nothing was more remarkable than what we have just alluded to, the tameness with which the unhappy peasantry submitted to starvation; not putting out the same energy to live that Englishmen would exert under the same circumstances. But where the distress only pinched without crushing, as in the Midland and North-

eastern counties, the effect was to stimulate crime to an enormous extent—as we have already had occasion to observe,—the committals for serious offences in the second year of the famine amounting to more than thirty thousand. Something in the shape of a Coercion Bill was considered necessary in consequence of the disturbed state of the country; but a generous feeling made such a measure of severity towards an unhappy people distasteful to the liberal party; and the protectionists were burning for revenge on the leader who had turned upon his own party, and bereft it at a blow of that which was best worth while defending, and without which the rest of their political creed had lost its importance. They stood like warriors with nothing left to fight for but revenge, and on the first opportunity deserted to the enemy. Sir Robert was defeated on the introduction of his bill by a political combination; and Lord John Russell undertook and succeeded in forming a ministry. He too felt himself obliged to propose a similar though milder measure; but his party not feeling able to accept a proposition so like what they had just rejected, compelled him to abandon it for a while. In the end it was found necessary to pass still more painful measures, and to the Lord Lieutenant of Ireland that arbitrary power of arrest which some may think not more inconsistent with liberty than the state of things against which it is employed. It certainly could not have been placed in more trustworthy hands than Lord Clarendon's. In the Irish Book of Common Prayer, there is a petition of a very characteristic kind, that the Lord Lieutenant “may wield the sword which has been committed to his hands with justice and mercy;” and never was the sword wielded in Ireland with more regard for those virtues, than in the Lord Lieutenancy of this great Whig peer.

The year 1846 was the real beginning of the famine. There was the same disturbance of the elements as in the preceding August; again the atmosphere was unusually quick with electricity, and the lightning that mingled with the hissing rain, ran along the ground as if in the accomplishment of a mission of destruction. Not only was the disease in the atmosphere, but in the seed; and almost the entire crop was found to be turned to rotteness in the ground. A simultaneous deficiency in the harvests abroad made the situation still more terrible. Immense sums were poured out from the national purse; drainage works were commenced on an immense scale, and the Navigation laws and duties on corn were entirely suspended. The crop lost in 1846 was valued at between five and six millions; and this enormous loss, (amounting to nearly half the rental of Ireland,) fell chiefly on the peasantry, and left them completely destitute; and in 1847 the loss of the whole crop was again repeated. On the other hand the total amount expended upon relief was nearly eight millions sterling. The continuance of the famine necessitated a change in the poor laws. The act of 1838, which we have already noticed, (chapter vii.) divided Ireland into 130 unions and 2,050 electoral divisions; the average area of the former being 160,000 acres, and the average population 62,884. It is obvious that the workhouses were as inadequate to meet a general famine, as the staffs of militia regiments would be to defend the country against an invasion. From the extremities of unions so large, the starving population, whom privation had made apathetic, could not

reach the workhouse door; and if they did, not one-twentieth could obtain admission. Those who were taken in were only the worst cases; and the suffocating atmosphere of the overcrowded wards soon completed the work of destruction. What was needed was that the workhouses should be centres of a system of relief, and should radiate out food to the whole district which belonged to each; but this the state of the law forbade previously to 1847. The rates struck for each electoral division being in proportion to the number it contributed to the recipients of relief, it was the direct interest of the ratepayers to keep down pauperism, and keep out those likely to come upon the rates. This has, since the famine, tended very much to the unpeopling of the country; the rates in the case of a holding of less value than £4 a-year being paid by the landlord; half where it amounted to more; and remembering that the poor-rates once ruined half the gentry of Ireland, it is natural they should think the less human beings the better. But the effect of this provision on the conduct of landlords will be more fully explained further on. In October 1847 the Poor Law Extension Act came into force. An outcry had been raised in England that the landlords should support the people; but political economists denied both the fitness and the possibility of their doing so. A committee of the House of Lords reported against any kind of outdoor relief. The Government took a middle course,—the new bill authorizing the guardians to give no outdoor relief to the able-bodied excepting food—and food only when the workhouse was full, or unfit for their reception; but room for receiving them was to be increased by permitting outdoor relief to be given to the impotent. Relief Committees were also established; and no exertion which it was possible to make was omitted by the Government to alleviate the sufferings of the people. But notwithstanding all that could be done, it was estimated that at least half a million of people perished. In Skibbereen the whole population of eleven thousand died of famine and disease. In the words of Lord John Russell “a famine of the thirteenth century had fallen on a population of the nineteenth.” We will not attempt more than the briefest description of the horrors which, in those famine years, were witnessed by residents in Ireland. The look which the faces of the people wore; and which those who were of mature age never quite lost, testified to the rigour of their sufferings. The nation has never recovered its characteristic gaiety; its sports, its songs, its dances have not revived; its enthusiasm has taken a permanently gloomy tinge. That awful time of physical suffering in which the rustic population crowded into the towns starving, and no one was much startled at seeing them dropping dead in the streets,—when those who opened their doors in the morning were not surprised if a corpse fell into their arms,—when dead bodies were often discovered in woods and other hiding places where the dying wretches had gone to hide their mortality,—when human nature sometimes lost its best instincts, and parents and children fought like beasts for the last morsel of food,—in which whole families were found lying together dead in their poor cabins,—in which gentlemen’s houses were, as we can remember, besieged by emaciated crowds around whom hung a horrible famine stench, which carried about the seeds of the deadly fever. That period has left marks upon Ireland which twenty years

have not perfectly effaced. There are still in our workhouses the invalides of the famine. There is still the depression on the spirits of the people. We have but a dingy picture in our memory of the horrors of the famine years; but a vivid description of them will be found in the appendix to a work we have already quoted, Mr. Trench's 'Realities of Irish Life.' The Rev. F. F. Trench tells how, in his tour through the south-west of Cork, he saw no children at play, but the few who crawled about the doors were mere skeletons, their legs swinging like the legs of dolls; how in every house he entered he found dead and dying, and some who had become idiotic from hunger; how a father was seen trailing his two dead children along the road by a rope, to bury them; how the poor in general were buried in trap or slide coffins out of which they were dropped into the common grave by unhooking the bottom; how the remains of some less fortunate were eaten by the dogs or rats, and over others their houses were burned as a speedy method of giving them interment. Nature's remedy for the disease of over population was sharp and effectual.

## CHAPTER X.

### THE REBELLION OF 1848.

Ingratitude to England—Account of it—The landlords' policy—Dislike of the people to emigrate—Revolutionary movement abroad and in England—The abortiveness of rebellion in Ireland not a sign of happiness and freedom—Manner of the Protestants to the Roman Catholics—Events of '48 in Ireland.

WE have before observed that the peasantry of Ireland always, as they were taught, blamed England for every misfortune. They were not grateful for the vast expenditure of English money by which they had been rescued from death in the three preceding years. They neither cared nor inquired where the money had come from. It is their custom to believe that Government possesses the power of averting all evil; that it is, or ought to be, a sort of Providence; but that being the English Government, it does not care what becomes of their country, and instead of exercising its power to avert, purposely brings calamities on Ireland in order to prevent her from growing too strong. To English readers this may appear incredible; but we can testify to its being the universal creed of the poor, in Munster, Leinster, and Connaught. It may be conceived that the darkness in which such a theory could obtain must have been very thick; and yet strange to say, it is almost as firmly held to-day, as it was twenty years ago, although great progress has been made in education, and the children in Irish national schools are considerably more intelligent than children of the same class in the national schools of England. The Irish peasantry, generally speaking, are superior in intelligence to the English; and have none of that brutalism which, among the latter, is such a growing characteristic. But, notwithstanding their intelligence, they still throw the blame of every misfortune on England; perhaps rather shutting their eyes, than being blind to the good intentions of the English le-



gislature and English people. They do not wish to forgive, or to make friends with England; and are at pains to mistake her motives, and believe in her instrumentality of evil. Twenty years ago the belief was of a more genuine kind, and more satisfactory to good haters of the dominant country; instead of considering themselves under obligations for the public and private relief which had been lavished upon them in their distress, they thought of the half million who had died, and they cursed England. Who made the country so poor that the whole wealth and means of the people of it consisted of the crop in the ground, and when that crop failed all was gone? Who had wrung from them the little they made of their land, above what barely maintained them in life; and thus prevented their having anything laid by against the dark day? Whose commercial policy had ruined Irish manufacture, and left them wholly dependent on the soil, to a degree to which no civilized nation was ever dependent upon it before?—Who, at the same time, invested the ownership of the soil in English landlords, who should take care that the rent (spent in England) should always rise to the lips of the farmers, just permitting them to exist? Who, to go back further, had several times tried to destroy their nation by massacre, and had failed, just as all the attempts to extinguish the nation of the Jews were defeated by God? Who, after taking from them everything, had attempted to take from them even the consolation of being taught and prepared for a future life; a consolation it is never wise to take from the miserable? In that alone English policy had failed. She had inflated herself with riches by sucking Ireland; and to contemplate the greatness of the one country was to see of how much the other had been plundered. We are stating the views, it must be remembered, of an ignorant peasantry. They did not thank England for saving seven million lives, but cursed her for letting five hundred thousand perish. Why should they be grateful to the robber for giving them back enough to keep body and soul together? Now, however, a new and terrible grievance arose—out of the policy that was adopted to avert a repetition of the famine. It may be viewed in the most opposite lights; in some cases it was promoted with the most philanthropic objects, but often out of the purest selfishness.\* It has resulted in a strange political phenomenon, which has perplexed and frightened our statesmen, and of which it cannot be said what it will grow to, or what dimensions it may ultimately assume. We must consider it as one of the causes which put the Irish mind into the frame, to be worked on by the adventurous leaders who are always forthcoming when there is insurrection in the air. The famine itself was not the most excruciating suffering the Irish people were destined to undergo. For when they had nearly passed through the cloud, and a little dubious sunshine began to gleam on them again, they found that the land of Ireland had to a great extent changed hands—their old masters were ruined with themselves—and the year following the alienation of the

\* Mr. Trench adopted the expedient we speak of on an immense scale at Kenmare; not, however, with the occupiers of the land, but with those who had first gone into the workhouse. In this instance there was scarcely an alternative; and both Mr. Trench and his employer, Lord Lansdowne, were actuated by the highest motives.

soil was completed; the establishment of the Encumbered Estates Court, to facilitate the transfer of property, and empowered to give a parliamentary title (the value of which we shall see), rendered the change of ownership rapid and wholesale. Men of money found they could acquire properties in Ireland at nine years purchase which—supposing the same tenants were to be continued in possession, recovering slowly, and unable to pay rent for a considerable time, nay requiring help to stock and sow their land with seed,—would have been equivalent to fourteen or fifteen years' purchase of property, let to solvent tenants. But the new landlords had no sentimental feeling about the old tenantry; they had no idea that their money should be dead for so many years, during which the bad and often ineradicable habit would have grown up of paying no rent, as a considerable addition actually was made to the constitutional laxity of an Irishman's notions upon this subject, by the short passage of the famine itself. They therefore looked at the situation like practical men; and saw that the famine (they would not say, unfortunately,) had not been permitted to do its work, and that the land in which they had invested their capital was encumbered with a beggared tenantry. By turning them out they perceived they would swamp themselves with poor-rates, which during the famine years in many localities where the population was dense, mounted high above the valuation. On the other hand, by leaving them in possession they would have no rents for several years,—if ever. Perceiving that in one way or other they must be out of pocket, the new landlords hit upon a happy expedient. In fact, it was to meet such cases that the New World was given to the Old; and by shipping off their tenantry to America, they not only got rid of the most unwieldy sort of encumbrance, but seemed, with a due regard to their own interests, to be performing an act of extreme generosity. And so they were rid of them at one quarter of what it would have cost to keep them on the farm or in the workhouse; and when they had landed the unfortunate people, broken down by the sufferings they had undergone in Ireland, and many of them little fitted to fight the rough battle that must be fought in a new country, without any capital to commence life upon, but broken hearts and enfeebled hands, the new proprietors, who were, perhaps in the majority of cases, old agents, set about consolidating farms, and substituted pasture for corn, and cattle for men. Those who have seen the emigrant ships tearing the hearts of the Irish from the soil to which they seemed to grow, and have heard the terrible cries, that move men to tears, of those in whom there seemed to be a dividing of the spirit itself, will comprehend how the Irish underwent a severer trial when the famine was over, than when it began or while it lasted. The regime which was instituted by the new landlords was soon adopted by those who remained of the old; and who, if they did not adopt it, underwent considerable odium as non-improving landlords, men without public spirit, who were raising the rates upon their neighbours. And so the result of the famine was an enforced deportation which had to external observers the appearance of a flight from the shores of Ireland of two millions of its inhabitants. Then those who were gone sent for those who remained; the old and feeble Jacob went down into Egypt, where Joseph had been

sold. The flight became an orderly retreat, and for a while the population which had been rising before the famine at the rate of 760,000 in every ten years, now went on steadily losing (though not to the same extent, of course, sinking) at the rate of a quarter of a million a-year, a portion of the enormous overflow remaining in England.

After the famine—in the first pangs of this process—followed the events of 1848. The revolutions on the continent, as in the end of the 18th century, found a feeble imitation in Ireland, unreal as a reflection. One of those mysterious impulses which come at intervals, as if under some occult law, and disturb every nation, and against the mischief of which the only safeguard is perfect freedom, shook down the throne of Louis Philippe, and temporarily overturned even the chair of Saint Peter. In England it was otherwise. The chartist explosion was harmless; it made a report, but did not overthrow or even shake any institution of the country. The capability of Anglo-Saxons for revolution, when revolution is needed to relieve them from pressure, has received several illustrations; and the harmlessness of the ebullition of 1848 satisfactorily tested our freedom, and proved that our social system, though artificial, is secure, and that we have realized liberty without license. The three attempts at rebellion which have taken place in Ireland, in the present century, might be supposed to point to a similar conclusion, and to demonstrate the unreality of Irish grievances. The peasantry have rather played at insurrection than attempted that desperate expedient in earnest. To forge pikes, and make havoc of the young plantations for pike handles, to obtain firearms by robbing the houses of those who were privileged to keep them, and to strip the roofs of lead wherewith to cast bullets,—to drill and march along unfrequented roads at the dead of night, have constituted the exciting and somewhat dangerous amusements of the Irish peasantry for the last half century. It may be assumed, that it was more with a view to relieve the tedium of life, than this lively and excitable people, dwelling by “a melancholy ocean,” and having no field in which their genius might exercise itself, thus played the game of insurrection; finding out from time to time, when it was pushed too far, how little they were in earnest. Whenever they have been urged by their leaders into overt acts of rebellion, they have been found deficient in that desperate resolution which makes rebellion formidable; and yet it is well known, that as a nation, they are not only brave, but pugnacious. Should we be justified then, in concluding that, as in the case of the chartist outbreak, the unreal rebellions of Ireland only demonstrate the real contentment, sound freedom, and general prosperity of that country? That the Irish have no sincere hatred of England, no genuine belief in their own grievances, no veritable dislike of eviction, and no unfeigned poverty? That in reality Ireland is perfectly free, and perfectly happy? As a matter of history the Irish have not been free, in the English sense of the word; it has arisen from their fault that such has been the case; but the fact remains the same, that they have not shared the freedom of the nations with which they are connected. We do not now speak of Catholic disabilities, but of Coercion bills, Peace Preservation Acts, Unlawful Assembly Acts, Suspensions of Habeas

Corpus. During a considerable proportion of the time that has elapsed since the Union, the Irish have been deprived of this latter safeguard of liberty. What parliament since then has not passed some bill to limit Irish freedom? How much space is occupied in the records of parliamentary debates by the discussion of measures for the repression of Irish agitation? It was either to deprive Irishmen of the right of carrying arms, or of the privilege of holding public meetings, one of the most cherished rights of Englishmen, or of co-operating together for the attainment of political objects, or it was to renew the old curfew law in the nineteenth century, and render liable to arrest any one found abroad between sunset and sunrise. We do not blame the legislature for those measures; but at the same time we deny that the Irish have been in the enjoyment of that perfect freedom which makes rebellion impossible. It is only impossible to escape, where there is no restraint; but no one with candour can assert that this has been the case in Ireland. Nor have such measures as we have alluded to, been equally applied to the Protestant section, as there was no necessity they should; but still it was aggravating to the Roman Catholic, that the law in his case should assume him to be guilty, and in the case of the Protestant, should assume him to be innocent. The latter, in a proclaimed district, was left his arms as a matter of course; but the former could not shoot a crow on his farm. But this was not what rankled in the hearts of the peasantry so much as more "sentimental" grievance. They were perfectly conscious that Protestant landlords, and even Protestants in their own rank of life, instinctively regarded them as an inferior race; and what was even more intolerable, they themselves were conscious of the inferiority. The self-confident, contemptuous, bullying Englishman—in Ireland as in India—never fails to make the native population conscious of his physical superiority, and hate him heartily on account of it. Denial blends with and embitters the admission; for while in energy and force of character he is unrivalled, in wit, tact, and sentiment, he is comparatively deficient. Hence, it has not been a want of the feelings which arouse nations into rebellion, but a disbelief in the possibility of rebelling successfully, that has made Irish insurrections so feeble and heartless. The lion of rebellion lies down cowed, at the voice and look of established authority. Centuries of stern repression have taken from the Irish race all remnant of self-confidence, so far, at least, as regards its ancient oppressor. Belief in itself, not belief in its wrongs, is what the race is deficient in; and we should be very much mistaken in ascribing the ludicrous failure of Mr. Smith O'Brien's rebellion to the same cause that made the chartist attempt unsuccessful in England. The truth is, that the organized system of assassination which has so long prevailed in Ireland, and this miserable attempt at rebellion, were different forms of the same disease. The former is a slavish kind of rebellion. The Irishman who shoots his landlord from behind a hedge is more of a rebel than a murderer. The same desperate feelings exist in both cases; but while in one, the insurmountable sense of subjugation and inferiority render them incapable, in the other they produce desperate deeds.

It had been prophesied long before by Lord Althorp, that the Repeal agitation would culminate in a rebellion, because it would become



evident after a time that repeal could not be obtained by constitutional means. There had been now for some years a party growing up calling itself the "Young Ireland" party, which proclaimed its intention of taking by force what was denied to importunity. The most prominent of the young Irishmen was Mr. William Smith O'Brien, one of the members representing the county of Limerick in parliament, a gentleman of considerable property and influence, sprung from the ancient family of the Barons Inchiquin. Mr. O'Brien had nothing in common with the ordinary type of Irish agitator, but an enthusiastic devotion to the genius of his country, a feeling of her wrongs, and a belief in the possibility of shaking off the yoke which she has borne so impatiently for seven centuries. The learning, refinement, and extreme amiability and sense of honour which he possessed, were not the best qualifications for a revolutionary leader, and probably the somewhat ludicrous termination of the movement was partly attributable to the unfitness of the man. We do not say that the insurrection could have been under any circumstances successful; but it would undoubtedly have been attended with more serious results if it had been under less amiable generalship. The minor leaders did not make up for the deficiencies of their chief. Several were young barristers of considerable talent unrecognised by attorneys. The bar in Ireland works on half or a quarter time, and men without interest, unless their abilities are very striking, are not, for many years, able to make a livelihood by their profession. The gentlemen we speak of found a vent for their eloquence and discontent in certain seditious journals, and were insensibly converted into conspirators, partly by their own rhetoric, and partly by the necessity of the situation in which they had thus placed themselves. Some of the rebels of 1848 lived to win name and fame, out of Ireland. Thomas D'Arcy M'Gee, for instance, attained a distinguished position in the dominion of Canada, and became a useful and loyal subject. In after years, when, as a prosperous colonial statesman, he visited Ireland, he did not fear to tell his countrymen that he no longer believed in his old dreams of an Ireland independent of England; and that it was by imitating the sober industry of the latter country Irish grievances could be removed. For this change in his opinions, and for his decided opposition to Fenianism, he was assassinated upon his own doorstep, by what the famous mayor of Cork might have called "another noble Irishman." Thomas Meagher, who was also distinguished among the Young Irishmen, achieved a military reputation in America during the civil war. We shall briefly sketch this group in our memoirs; and only desire to indicate that they were men of some respectability; and that this probably prevented the rebellion from being attended with worse results. The hopes of assistance from France, which prevailed at the end of the last and the beginning of the present century, were again awakened by the substitution of the republic for the monarchy. Mr. O'Brien and some others went upon a deputation to Paris to congratulate the French nation on this change, but did not meet with an encouraging reception from M. Ledru Rollin. We may here mention a circumstance which Mr. Thackeray has commemorated in his ballad entitled "the battle of Limerick." The Limerick Sarsfield Confederation Club having invited

to a soiree the gentlemen who had composed the deputation to France, the house where they were assembled in Thomas Street, was attacked by the Old Ireland or "moral force" faction; and it was only by the timely interposition of military and police that the advocates of physical force were rescued from the vigorous arguments of those who depended on peaceful means and constitutional procedure. "First blood" was drawn from Mr. O'Brien's nose; the other leaders taking advantage of a back door ran for their lives, and the citadel of the Sarsfield Confederation was reduced to a complete ruin. It was of course said that the reactionary movement originated from the Castle, but whether this was so or not, the circumstance excited considerable amusement. Mr. O'Brien resigned his seat in parliament, and probably his indignation at the affront made him long for an opportunity of showing that the projected revolution was no laughable matter. Both by public speeches, and through the organs of sedition, the people were exhorted to arm. The cheap press, which has done so much to enlighten and educate the English populace, has been an agent of pure mischief in Ireland. We do not object to its opinions so much as to its unfair and ill-conditioned tone. Its teaching has been full of gall; and we have scarcely ever seen a charitable sentiment in the popular papers to which we allude. We venture to assert with the utmost confidence, that the best means of quieting Ireland and of being in a position to remedy her grievances, would be not to prosecute the printers, but to give the police power to seize all seditious prints. This, without making martyrs, would put an effectual stop to the evil. Napoleonic government is needed in Ireland; external grandeur and generosity and a strong hand. In 1848, the Nation, the United Irishman, and the Irish Felon, besides a number of provincial papers, were all pouring out their bitter waters. At last, when they directly called on the people to rise in arms, and, in fact, declared war on England, the government determined to make an example of Mr. Mitchell of the United Irishman; he was accordingly tried and convicted; and sentenced to fourteen years' transportation. The Young Irelanders thus lost a man who would have been one of their most active leaders, when the time should have come to drop the pen and seize the pike. An action against Mr. O'Brien for seditious speaking was not so successful—a matter more to be regretted on his own account than as unfortunate for the government. Of course everyone was now prepared for an outbreak, and if it had been really formidable, the precautions adopted would have proved amply sufficient. The military and naval forces had a thorough mastery of the country within and without. Sir Charles Napier with the fleet watched over the coast; the Rhadamanthus was moored in the Suir opposite Waterford, and it was notified to the corporation, the majority in which was not remarkable for loyalty, that the city would be bombarded should such a measure be found necessary. The handsome quay a mile long, lined with the shops and warehouses of the aldermen and councillors, presented a fine mark to the gunners; and it was promised that one house which in an exuberance of national feeling its owner had painted green, should be the first to receive their fire. The wooden bridge over the river, forming at the time the only connection between the counties of Kilkenny and Water-

ford, was to be blown up in case it should be desirable to cut off the communication between the insurgents of those two particularly disaffected counties. Probably it was owing to the presence of this ship and a large military force, that there was no disturbance in Waterford beyond a scuffle upon the bridge, in which Meagher is said to have been concerned. Similar precautions were taken at Limerick, where the river Shannon enabled the government to take naval possession of the town. Cork was overawed by a flotilla of steamers, and bodies of military and police showed themselves about the country. It is generally believed in the north of Ireland, and we have received it on good authority, that the government was prepared to entrust the loyally disposed people with arms; and that a vessel of war lying off the fishing village of Ardglass, on the coast of the county of Down, was freighted with a large supply to be distributed by the magistrates in case of emergency. The fact that Ulster was almost denuded of troops lends probability to this statement; but at the same time, arming the loyal against the disloyal is a desperate expedient, contrary to the policy of both Whig and Tory governments in Ireland; and if Lord Clarendon had it in contemplation in 1848, it shows that he greatly overestimated the danger. Notwithstanding that we have been repeatedly informed of it in the north, on what might be considered good authority, we are inclined to believe that the government can have had no such intention, but that a popular supposition assumed the form of a fact.

It is within our own knowledge, that in 1867 the Government of the day distinctly refused to place arms in the hands of a section of the people, or to allow the local authorities the invidious right of distinguishing between the loyal and disloyal. The line would practically have been drawn between Catholics and Protestants; and the former would naturally have been justly irritated by the assumption of their disaffection implied in refusing to intrust them with arms. The operation of the Prevention of Crime Act was injurious enough in this respect; for while in proclaimed districts the Protestant gentry and clergy and their dependents of that religion were allowed to retain their arms, the Roman Catholics, almost without exception, were deprived of them, unless when they were placed in concealment (which was very generally the case); but the intention of the authorities was manifested notwithstanding.

The Government, having procured a suspension of the Habeas Corpus act, resolved on arresting the principal conspirators; but warned of this intention, they left Dublin, and dispersed over the country to their several commands. In the county of Kilkenny, a midnight march was made by a small body of insurgents upon Grannagh bridge, which it was intended to blow up, in order to delay the movement of troops operating from Waterford. Their preparations were not complete, however, when the morning broke; and the sight of a magistrate who lived close by, riding out at the head of a small body of police put them instantly to flight. Similar midnight marches were made in other parts of the country, but without any definite object, except to make the people engaged in them believe that they were actually in rebellion against the Government; they vanished like ghosts with the break of

day. The peasantry stimulated their own excitement by these movements, and kept the Protestant landlords and clergy in considerable trepidation. We can remember the midnight warning that the whole country was up, and that an attack was about to be made; the preparations for defence; the loading of guns; the great stones that were ready to be cast down as at Thebez, on the heads of the assailants; the scouts sent out to ascertain if the enemy were approaching; the measured tramp of several hundred men marching through the dark, and the ring of horses' hoofs, as if the leaders were mounted;—morning, and nobody the worse; no sign of the ghostly army that had passed in the night; the fields peaceful and uninjured, and the people going to their work as usual. Meanwhile large rewards were offered for the apprehension of the leaders,—£500 for Mr. O'Brien, £300 for each of the others,—M<sup>c</sup>Manus, Doheny, O'Gorman, M<sup>c</sup>Gee and Reilly; and numerous arrests were made in Dublin and elsewhere. On the 27th of July, the startling announcement appeared in the Times, that the whole of the South of Ireland was in rebellion, and a number of details were given in the condensed phraseology with which the telegraph has made us familiar, representing the insurgents as almost everywhere victorious, and the military either beaten or refusing to act. Happily there was little or no foundation for this tremendous piece of news. It was true that Mr. O'Brien had met his lieutenants, Meagher and Dillon, at the town of Enniscorthy in the county of Wexford, and these gentlemen had set out upon an outside "jaunting car," amid the enthusiastic cheers of the people assembled in the street, upon the conquest of Ireland. After pursuing their course through Graigue, Kilkenny, Callen, Carrick-on-Suir, and Killenaule—in each of which places they haranged the people, and appealed to them not to allow them to be arrested—they at last reached the town of Mullinahone, and there the campaign really began. Mr. Terence M<sup>c</sup>Manus joined them in a green uniform, and they all assumed green caps with gold bands, such as Mr. Daniel O'Connell had been accustomed to wear at his monster meetings. Besides these gold and green caps, of which we have seen a specimen, and which bore a strong resemblance in size and shape to crowns, the leaders were dressed in a sort of military costume, and carried about their persons a profusion of pistols. Mr. O'Brien was described as marching at the head of the advanced guard of thirty men, with a pike seven or eight feet long upon his shoulder, a pistol in his hand, and three pistols stuck in his breast. The garrison of Mullinahone consisted of six policemen, and when the insurgents appeared before the barrack and demanded the surrender of their arms, the door was open, and their muskets were upstairs; nevertheless constable Williams valiantly refused to give them up, and being allowed an hour to deliberate, they marched out with their arms and whatever are the honours of war, to join the force at Cashel of the Kings. Thither,—though it was the place where the sovereigns of Munster were crowned,—Mr. O'Brien did not follow them; but continued his march towards the county of Limerick, with about three thousand men, all of whom were armed with guns, scythes, pikes, or pitchforks. On their way to the field where the fate of Ireland was to be decided, only two incidents marked their progress; the first was meeting a detachment of the 8th



hussars, consisting of forty-five men, under Captain Longmore. The insurgents, on being informed by their scouts of the approach of the military, threw up barricades across the road, and prepared to dispute their passage; but upon learning that they had no hostile orders or intentions, the barricades were opened by command of Mr. O'Brien, who, on this, as on other occasions, showed a humane desire to avoid bloodshed, and the troops proceeded on their way; the occurrence was of course represented as an insurgent victory. The second incident, and the only real success which they achieved, was the capture of one policeman, whom Mr. O'Brien first threatened to shoot, and then obliged with his own horse, lest he should be wearied by the march. And now they drew near to Ballingarry, and fell in with a body of constabulary, numbering fifty, under the command of sub-inspector Trant. This small force, instead of surrendering at discretion, as called upon to do, retired into a substantial farmhouse which stood a little aside from the high road; and having rendered the windows bullet proof by mattresses, they awaited the attack of the insurgents. The assault commenced; a lively but harmless fire was opened upon the house, and returned with effect by the police. Mr. O'Brien, who was not deficient in the personal courage of a gentleman, made a rush, with a number of his followers, to reach the door; it was necessary to cross a garden of cabbages; and among those inglorious vegetables the insurgent leader was brought to the ground by a slight wound upon the knee. He was immediately carried to the rear; and his followers, extremely damped by the resistance they had encountered, withdrew to a safer distance. It was towards the end of the day that, like Blucher's army after Waterloo, another body of police was seen approaching under the command of sub-inspector Cox. After a few shots the insurgents dispersed in flight, and the police remained in possession of the field. The latter suffered no loss, and that on the side of the people could not be ascertained; but probably amounted to fifteen or twenty. Mr. O'Brien was captured a few days after at Thurles, in the county Tipperary, by a railway guard who recognised him; the other leaders were not more fortunate in making their escape, and they were all tried and sentenced to terms of transportation. A remission of his sentence soon restored Mr. O'Brien to his family and estates; the others were either pardoned or broke their parole and escaped to the United States of America. Thus ended the Irish rebellion of 1848; the country on the whole was the better for it; and the land had comparative rest for many years.

## CHAPTER XI.

### TENANT RIGHT.

State of the people—So called extermination—Demand for Tenant right—Peasantry prefer Assassination—Insincerity of Parliament—Sir W. Somerville's and Lord J. Russell's bills—Mr. Napier's code of land laws—Serjeant Shee's bills—English view—Mr. Cardwell's measure—Lord Naas's—Its merits—Radical schemes—Fixity of Tenure—The Church bill takes precedence—Liberal reticence—Reason.

To understand the Land Question of Ireland we must remember its

history; and for this reason we shall briefly recapitulate former statements. We have already alluded to the establishment of the Encumbered Estates Court, which took place in 1849. By its operation a great portion of the land of Ireland changed owners; not a little fell into the hands of agents; some was bought by speculators, and scarcely a tithe remained with the old proprietors. The new landlords found the only way to relieve their estates of a mass of pauperism, which did, and would for a time, have made them unprofitable, was to go on clearing off the people to America; this being much cheaper than paying for them in the workhouse. We have already described and explained the beginning of the great emigration. It began by being compulsory; but as time went on it became self-acting. The emigrants sent for their sisters, brothers, and friends; the chain of emigration continued to draw. At home the blight returned from autumn to autumn, but still with equal pertinacity from spring to spring, the farmers sowed their potatoes in almost undiminished quantities, and thus instead of retrieving their fortunes, got deeper in debt to their landlords, and less able to do justice to the land. Some at last ceased to cultivate it, and in the west of Ireland we remember seeing many farms under a flourishing crop of weeds—either because the occupiers had no seed to plant, or in order to escape the payment of poor-rates. Had they at once given up the culture of the potato, many of those who failed to do so might have regained a solvent position. But Indian corn flour, with its resemblance to sawdust, was disliked by the peasantry, who longed for their accustomed food—and each year they trusted to the chance of the blight having passed away. In Connaught, they seemed at last to lose all power to help themselves, or to contend with their misfortunes; but though the roof had rotted and partly fallen in, though the cowsheds were empty, and the “haggard” had not a stack of corn in it, and the fields were lying waste, still they clung to the land. We can remember, that in those days there were apparently no young people to be seen; the whole population was reduced to decrepitude; boys and girls looked like old men and women; the very infants appeared aged and weakened. What was to be done with a peasantry reduced to this dreadful condition? To send them away to a land of plenty seemed to be an act of mercy, but it was not so regarded. They adhered desperately to the land which would no longer support them, like a child clinging to the breast of a dead mother. Under the circumstances, the landlords thought they were doing the best in forcibly tearing them away from it. We believe they might have done otherwise, and voluntary emigration would have afforded sufficient relief; they might have employed the farmers to work their own farms, giving them seed, and paying them wages, and the excess of the production above the outlay. The Legislature was willing to supply capital in the shape of loans for such purposes; but a rougher and readier method was preferred. They might have adopted a restorative treatment; but instead of making the attempt, they did nothing, until it was too late for remedial measures. Then they saw nothing better to do, than to deport the people of the soil to America. They offered, on condition of their giving up possession of their farms, to remit the arrears of rent, which the tenantry had no means of paying. The popular feeling was, that though legally

due, those arrears were not due in justice ; because while the land produced nothing, it was worth nothing, and instead of owing rent, they considered themselves to have a claim for compensation for the capital they had embarked and lost in the soil ; the soil having failed to fulfil the engagement understood in taking it, that it should bring forth its increase. Little gratitude, therefore, was felt for the remission of what could not be recovered, and from the tenant's point of view was not owed. Nor was the passage money which the landlord supplied received with any degree of thankfulness, because they knew it was only given to put them off the rates, on which their support would otherwise have been a tremendous burden. The bitter alternative was accepted when they could no longer resist ; and they quitted their land with an anguish, which has no parallel in history, save in that of the Jews departing into captivity. The Irish emigration has been called an exodus ; but only those who have witnessed it can judge how inappropriately it is compared to the joyful deliverance out of Egypt. To such as had a direct tie to the soil, the parting from Ireland was most bitter ; and it will be seen from a comparison of two statistical facts how largely the emigrants consisted of the farming class ; in counties where the population sank altogether but fifteen or twenty per cent., the average size of the farms which had formerly been about ten acres, rose to twenty, or in some counties thirty acres. We may also adduce in illustration of the great clearance of the cultivators, the ground upon which Lord John Russell considered it necessary in 1850 to pass a reform bill for Ireland, establishing a uniform £8 rating franchise in counties and boroughs, that the constituency had declined from 208,000 to 72,000. It became a settled policy of the landlords to get rid, so far as they could, of the old tenants, to consolidate farms, and introduce new blood. With this latter object, they offered every inducement to English and Scotch farmers, with capital and agricultural knowledge, to settle on their property. The new tenants, who were treated with great distinction by landlord and agent, each of them swallowed up the farms and homesteads of ten or twenty Irishmen, now scattered through the United States ; and, as if this was not sufficient to secure the hatred of the people, the labouring classes were set in opposition to them by the introduction of steam ploughs, reaping, threshing, and mowing machines. Thus bad blood grew worse ; the policy of the landlords gave rise to a policy of the tenants. The power of the former might be described as like the government of the Czars, a despotism limited by assassination. An organized system of murder grew up, and operated as a check upon eviction. The landlords exterminated the tenants ; the tenants endeavoured to exterminate the landlords. Tenant right became the great question of Ireland ; mutual confidence was destroyed, and the guarantee of a law was demanded. The successor of the Catholic Association and the Repeal Association was the Tenant Right League. The fearful expedient of the Ribbon Society was not accepted by the better classes of Irishmen as a satisfactory mode of settling the question ; but they saw that it would go on being practised until rendered unnecessary by a legal substitute. No measure could be adopted that would stop the system being deliberately carried out by the Irish people, and against which the

Government was absolutely helpless, but one making the relations of landlord and tenant so defined and fast, that there could be no room for injustice, or the suspicion of wrong. Hence the desire for a Tenant Right bill grew earnest among intelligent Irishmen on the popular side, in the corporations, chambers of commerce, and boards of guardians. No tremendous popular agitation, however, arose for it; because the peasantry then, as now, relied more upon the blunderbuss; this was such a simple argument, and there was no doubt about its being both heard and felt. It was not necessary to suppress the Tenant Right League, as it had been necessary to suppress the movement for Repeal, lest it should become irresistible. There was no danger of its raising a storm like that by which the Duke of Wellington was intimidated and Catholic Emancipation was carried. The Leaguers were allowed to do their worst, because though their agitation concerned the one political question, about which the peasantry of Ireland were then, and are now really interested, the corporations and Poor-law boards had it almost all to themselves. By them, and perhaps by the people, a moderate measure of Tenant right would have been accepted then, and the question might have been settled in its infancy without any great sacrifice on the part of the landlords. Such a measure received the sanction of almost every party; it was recommended by committees; frequently introduced into parliament; at one time it struggled from the lower House to the upper; anon it came down from the upper to the lower; but somehow it never passed. It would answer no purpose to go through all the bills that were brought in both by governments and by independent members to settle this question; but still without result, except to convince the peasantry that the blunderbuss was the right weapon, a dark night the time, and a lonely road the place to vindicate the rights of the tenant. In reading through debates in Hansard, we feel the utter insincerity that pervades them—the want of that earnestness which the subject demanded, considered from whatever point—whether as a landlord's question or a tenant's. Angry gleams appear from time to time of the real feeling of parliament; as for instance, when Lord Palmerston exclaimed, that tenant's right was landlord's wrong; and the true spirit of the house burst forth in vehement applause. At another time, when one of the Irish law officers of a conservative government said, that he did not know what was meant by the "Land question," the concealed indignation with which the subject is always discussed by the landlord parliament flashed out in a loud cheer. It was complained by Irish members that half the house rose, and the benches on both sides were left almost empty when this vital question was debated; that contemptuous wonder was expressed in the lobbies why the Irish members were always forcing it on parliament,—and what right their constituents had to be different from the rest of the world, in being unable to come to amicable agreements with their landlords. We can scarcely wonder that the peasant farmers of Ireland put little confidence in parliaments. Sir William Somerville introduced bills upon the subject seven times, in the years 1835, 1836, 1843, 1845, 1848, 1850, and 1852. Their principle was to protect improving tenants from being evicted without compensation for their improvements. Lord Derby's bill in 1845 contained the same principle. The measure



proposed by Sir W. Somerville, in conjunction with Lord John Russell, provided a system of arbitration as to whether the proposed improvements should be carried out; and, if the tenant should be evicted, arbitration as to the amount of compensation to be paid him. In the bill of 1848, there was a cumbrous reference from arbitrators to umpires, and from umpires to assistant barristers; but in that of 1850 an inspector of improvements was made to do the whole work. In 1852, Mr. Napier brought forward four bills, which contained a perfect code of law to regulate the relations of landlord and tenant. The Land Improvement bill authorized the landlords to borrow money for improvements sanctioned by the Board of Trade; and provided that even where, as very generally happens in Ireland, they had only a life interest in their estates, they might burden them with a charge of £7 10s., during 22 years, for every £100 borrowed. By the Leasing Powers bill, corporations, etc., could give leases binding those who should succeed them, and promoting improvements on the same terms as in the first bill. The third, the Tenant's Improvement Compensation bill proposed compensation by time—compensatory periods in which to work out the value of the improvements; but the principle of money compensation was thought preferable, and substituted in the bill; the tenant, however, being only entitled to compensation for visible improvements, such as houses, gates, and fences. This measure, essential to the whole scheme, was rejected by the House of Lords; but a clause relating to fixtures was introduced into the fourth measure of the series, viz., the Landlord and Tenant Consolidation bill. This, and the bill enabling corporations to grant leases, on returning to the Commons, were considered worthless without the bill relating to compensation, and accordingly were not proceeded with that session; but in 1855, Mr. Serjeant Shee, a very earnest advocate of tenant right, reintroduced the latter measure. His proposal was, that whether the tenancy terminated by eviction, or of the tenant's own freewill, he should, on its termination, be able to recover compensation for unexhausted improvements. This principle was accepted over and over again; it was assented to so early as 1847 by Sir Robert Peel on one side, and Sir George Grey on the other. Lord Derby's ministries were deeply dyed in the principle, and no party or section of a party but was committed to it; but whether we are to ascribe it to the legislative incapacity of Parliament, or the extraordinary difficulty of embodying the principle on which all were unanimous in an Act that would work, nothing came of the travail of the Legislature session after session, but wind and confusion. The tenants saw their rights admitted, but not secured to them by law; and the only effect of the labour bestowed upon the subject in the two houses, was to show them how good their cause was, and how completely its vindication must depend on themselves. The question had become a part of the furniture of the halls at Westminster; those were halcyon days, good or evil, when our legislators took things easily; and this matter of paying the tenants for their improvements was one about which they were least of all in haste, because they themselves were the persons who would have to pay. English landlords objected to making a precedent in Ireland; a demand might be created among their

own tenantry which did not yet exist. Tenant right, one day, might become an English question should any great calamity happen to the farming interests of England. Then it would perhaps be necessary for them, as it had been for the Irish landlords, to dispossess a ruined tenantry and send them to the uninhabited parts of the earth, in order that landlord interests might not suffer. Immediately would arise the demand for compensation, which, if it had been conceded in Ireland, would be most difficult to resist in England. Hence there was a firm resolve that no real measure of tenant right should be conceded; but the policy was adopted of discussing the question from session to session until it should grow stale to the country; and the Irish members particularly were bound to be very earnest in its behalf. At last, however, it was considered necessary for the credit of the house to do something, which should amount to nothing. This feat was successfully performed in 1860. We do not say that its promoters intended the measure to be nugatory; but those who really knew Ireland and the Irish, must have been aware that it would prove so. Mr. Cardwell's Tenure and Improvement of Land bill, gave a right of veto to the landlord which alone was sufficient to nullify its effect; because Irish landlords are not generally overburdened with money, and would inevitably object to anything for which they might at any future time be called upon to pay. It would come in the end to the improvements being made with their money; because though found in the first instance by the tenants, the landlords according to this bill would have to reimburse them for their outlay.

It has never been the custom in Ireland for the landlord to improve; the tenant did so at his own discretion and risk; and the Irish landlord reaped where he had not sown, and gathered where he had not strawed. Rather than have this charge which would make it a very expensive matter to dispossess a tenant always ready to rise up against him, he would much prefer that no improvement should be made upon his property. A landlord who consented to improvements, and had not ready money at command to pay for them whenever it should be his will and pleasure to take up the land, would in effect have given his tenant perpetuity of tenure. He would have deprived himself of that delightful power which a landlord ought to possess over the well-being of his fellow-creatures, the power of plunging them from happiness and comfort into ruin and misery. His political influence depends on this power; in Ireland it rests upon no other basis. Hence, if the act of 1860 had any operation at all, it would have been to put a stop to improvements; for, being only prospective, it had no effect in giving compensation for improvements past—on the contrary, it clearly excluded such compensation, and thus despoiled the tenant of his, as yet, unlegalized claim; and while deciding the case against him, promised that if it ever arose again it should be decided in his favour. The landlord was armed with power to prevent himself from being rendered liable for the future, and his past liabilities were overlooked; while the tenant was barred from recovering on the claims which he actually possessed, and in exchange was given the right to recover on claims that he could never acquire, except by the permission of one who was certain to refuse it. The

method of obtaining compensation was beautifully clear, and the only drawback was that it was never likely to come into requisition. In fact the bill was a mere landlord subterfuge; and a return of the claims made for compensation under its provisions would show that it had no operation whatever; it was born dead, and never drew a breath. Things therefore remained as they were; the bill received no recognition in Ireland; but it gave the House of Commons a good excuse for refusing to consider the question for several years to come. In 1863 and 1864 it declined to discuss it; a bill having been passed in 1860, it was not reasonable to expect that this settlement should be so soon disturbed, or that fundamental questions affecting the sacred rights of property should be reopened every few years. After the death of Lord Palmerston, however, and when his regime had passed away, events began to take a very grave turn—a cloud appeared in the west; the Halcyon days were quite over, and the young Halcyons were now flying abroad in rough weather,—Reform and Fenianism being the two most remarkable of the brood. The consequence was, that it was necessary to bring in another Land bill; and this was done by Mr. Fortescue in 1866, and again by Lord Naas in 1867. As the former bill was not essentially different from its predecessors before 1860, we may confine our attention to Lord Naas's measure. It could, from its nature, only be prospective; but so far as it went, it was approved of by the more intelligent portion of the Irish farmers. It recognised the fact that in Ireland the person to effect improvements by the custom of the country is the occupier; and the borrowing power which the Land Improvement Act had given to the proprietor, this Act would have given to the tenant. His course was to memorialize the Commissioners, stating the nature of the proposed improvements, their probable cost, etc., and then the Commissioners were to publish a statement and serve notice on the landlord of what was proposed—and should the proposal be approved of by them, he was only able to put a veto upon farm buildings, roads, and similar improvements, but not upon that class of improvements necessary to make the land productive—such as drainage, subsoiling, etc. The tenant was thus to be enabled, under the authority of the Commissioners, and even in spite of his landlord, to put a charge on the land he held for productive improvements; but it is plain that a tenant could not really act in opposition to his landlord, unless protected from the consequences in a manner Lord Naas's bill did not propose to protect him. At the same time, there would have been less reason why Irish landlords should have objected to have the value of their land increased, and their tenants put in a better position to pay their rents and employ labour that, unemployed, would disquiet the country, when there was no danger of their being called upon themselves to pay down large sums of ready-money to outgoing tenants. This provided for the case of the tenant without capital, enabling him to do by a loan, what would be done by the proprietor in England or Scotland; but if he had himself money or labour to put into the land, he might go through the same process of memorializing, and if his improvements were sanctioned, he could at the end of his tenancy recover their unexhausted value from the Commissioners; and that unexhausted

value would then become a charge upon the land. It is obvious that this was a good and sound measure, and not one that it would have been the interest of the landlords to render inoperative; while it was one at the same time satisfying the justice of the case, so far as the tenants were concerned. True, it only affected future improvements; but we do not believe that there would have been any insuperable objection to making it retrospective. How far the bill would have worked it is difficult to say; simple as its provisions may appear, they might have proved too complicated for the agricultural understanding of Ireland. The Irish are a most intelligent race, but such forms of procedure as this bill involved, would have made it to some extent inoperative. It might fairly have been hoped, however, that custom would have led to a more general appreciation of its provisions. But other matters of policy not having met with acceptance, this bill was withdrawn, as part of a general scheme. It went too far for the Conservative landlords, while it fell equally far short of satisfying advanced liberals. Various plans had been put forward by the radical party, the most remarkable of which were Mr. Mills' and Mr. Bright's. They both considered it necessary to repair the wrong that had been done by wholesale confiscation, and to put the peasantry in large numbers in possession of the soil. The former proposed the division among them of the waste lands, amounting to 3,000,000 acres; while Mr. Bright suggested that the government should buy up the estates of such absentee proprietors as should be willing to sell; and that these estates should be apportioned out to the people in small lots, the purchase money to be repaid by instalments in 35 years. Either of these measures would of course, in its design, only be supplementary to a land tenure and compensation bill; but we cannot help thinking that there is one class of persons who would be strongly opposed to the division of the estates of absentees, not the absentees themselves, but their present tenants. However, the aims of the advanced liberals were evidently beyond what Lord Naas could satisfy; and as the approaching election promised to give them an accession of strength, they were not disposed to accept a compromise, which, looking to this, their opponents had been ready to offer. Although it might have been received as an instalment by the Irish farming interest, nothing short of fixity of tenure would by them be regarded as final. By "fixity of tenure," we mean the tenant's irremovability by his landlord, so long as he should continue to pay the present rent. This contains two elements; one his irremovability whilst he fulfils the terms of the contract, —the other, that he, alone, should have the benefit of the whole increase in the value of property, which the landlord monopolises at present. The latter condition, whatever may be said of the former, would undoubtedly be in the direction of confiscation. We are sure that it never will receive the assent of one house composed mainly, and another composed entirely of landlords. How far the principle of corn-rents which prevails, we believe, in Scotland, and was sanctioned by the Tithe Composition and Church Temporalities Acts in Ireland, might be adopted to solve the difficulty—if difficulty there is—we cannot undertake to say. Certainly, if some principle could be found by which rents would be self-regulating,—and, having first been settled by the



productivity of the land, would then vary with the value of the productions, we fancy it would obviate the discontent that is always caused by an arbitrary increase; and would also afford a guarantee to the landlord that the land should not be run out.

The general election of 1868 called forth some strong declarations on the question from eminent members of the liberal party; and when shortly after they were called upon to fill high offices in a liberal government, those declarations were post-stamped with official authority; whereas (except perhaps in the case of the head of the party) they indicated the opinions not of ministers, but of private individuals. The Irish Church Bill, however, so fully came up to their declarations, that considerable alarm was felt lest the land settlement should be an equally decided embodiment of their views. In Ireland, the belief was general among the peasant farmers, that the land bill would come after the church bill; and would treat the landlords, as the latter measure had proposed to treat the clergy. We have it on the best authority, that there was considerable unwillingness to pay rent in some parts of the country; and a number of agrarian outrages took place in Tipperary and Westmeath, from a determination that the landlords, now that their lease of power had so nearly expired, should not take any advantage of the few months which yet remained. It was felt that this state of things called for a decided expression on the part of the Government, that they had in contemplation no such revolutionary schemes as were attributed to them in Ireland. Several attempts were made both in the Upper and Lower Houses to draw from them such a disclaimer, but without any satisfactory result. The Duke of Somerset, Earl Russell, Earl Grey, and Lord Westbury, all stanch whigs, urged the danger of a reticent attitude; but Earl Granville firmly refused to tie his colleagues down by any pledge, or, as the Marquis of Salisbury rather inappropriately expressed it, himself to "enter the Confessional," as he was invited to do. Probably the silence which the Government chose to observe, arose from the obvious reason, that no agreement had been arrived at in the cabinet. If the only question had been which matter should have the precedence, it might perhaps have been wiser to take the land question first in order; to have passed a moderate measure, if moderate it was to be; and then made up for its deficiency by the more sweeping treatment of the Irish Church. To form a strong ministry, however, it was necessary to go first to that upon which the general election had turned, and the whole liberal party was of one mind; and to leave in abeyance the other great question, upon which there was not the same identity of opinion. That some settlement of the land question should follow was probably stipulated at the formation of Mr. Gladstone's ministry; and it was hoped that when the time should arrive for its solution, those who now were understood to differ, might be able to come to a satisfactory agreement on this difficult subject.\*

\* In a pastoral published by Archbishop Leahy, May 1869, that prelate denied, on behalf of the Roman Catholic clergy, any knowledge of an agrarian conspiracy against the lives and property of the landlords,—asserting that it could not exist without their knowledge, and arguing that "the non-detection of crime is a plain proof of the non-existence of conspiracy." "There was a time," he admitted, when such a conspiracy existed, and as a consequence, the perpetra-

## CHAPTER XII.

## THE FENIANS.

The Irish in America—The civil war—Growth and constitution of Fenianism—Preparations for an outbreak in Ireland—Suspension of the Habeas Corpus act—Arrests—Escape of Stephens—Attacks on Canada—Conduct of the United States government—Intended attack on Chester Castle—Unexpected rising in Kerry—General insurrection—Manchester Rescue—Executions—Alarms in England—Attempted Assassination of the Duke of Edinburgh in Australia—The Clerkenwell Explosion—Release of Fenian convicts—Fenianism smouldering on in Ireland.

FROM the time that the Irish emigrants began to take root in the United States, the history of Ireland may be said to have been, to a certain extent, transferred to America. There a greater Ireland has been rising up—an Ireland not subject to England—an Ireland under the protection of the great Republic, an Ireland cherishing the deadliest hatred against its old oppressor, and trying hard to anticipate the day of vengeance when its protector will no longer restrain it, but will

tors of agrarian crimes were betrayed and brought to justice. We believe this view to a certain extent to be quite correct; Ribbonism, as an organized society, was swallowed up in Fenianism; but the elements of Ribbonism remained when the operation of Fenianism ceased; and although they did not again associate, they became for that reason only the more dangerous; the same principles of action prevailed, and were more recklessly applied by individuals, than when they were carried out by an organization. The same sympathy was extended to, and protected the individual that shielded agents of the society. Spontaneous individual action was a more secure way of carrying out the Ribbon principles than combined proceedings. A conspiracy with a body is far more easily dealt with than a conspiracy without one. Dr. Leahy denied that the expectation of a revolutionary measure to be brought in by Mr. Gladstone and Mr. Bright had any effect in multiplying agrarian outrages; and ascribed the great increase in crimes of this description to the occurrence in the previous year at Ballycohey; and the sympathy with the tenantry, "avowed by the gentry themselves, and echoed in the thunders of the press on both sides of the channel." The transaction alluded to, took place in the summer of 1868, and arose out of an attempt by a Mr. Scully, brother of Mr. Vincent Scully, a popular Irish member, to treat the tenantry of an estate he had just acquired with great injustice and oppression. These people are the descendants of Cromwell's stern troopers, and preserve the hatred of oppression which animated their ancestors. In the face of an enraged multitude, and contrary to the earnest advice of the police who escorted him, Mr. Scully proceeded to serve notices on the farmers of the district; but while entering the first farmstead, a volley was fired from the buildings on either side which had been loopholed for the purpose; Mr. Scully fell, dangerously wounded, and two or three of the police were killed. We have no doubt that this affair did stir the blood of the peasantry; we know what a sensation it made through Ireland; but it would be quite inadequate to account for the prevalence of the lawless spirit to which it unquestionably contributed. That visionary hopes of strong legislation in their favour were entertained by the peasantry, we had ourselves opportunities of perceiving. Earl Russell, in his speech on a motion of inquiry into the state of Ireland, May 13, 1869, suggested another cause of the frequency of agrarian outrages—viz., the suppression of Fenianism; he said that such crimes as the House was engaged in discussing usually followed "from the failure of conspiracies." The peculiar state of the popular mind in Ireland, which resulted in so many murders, was, no doubt, due to a considerable combination of circumstances, rather than to any one.

gladly accept the weapon its hatred will supply. Whether or not it is possible to conciliate this greater Ireland, through the Ireland that remains under our rule, is a question of importance to England; and no doubt the wish to do so forms one of the springs that should to a moderate extent govern our Irish policy. We need to conciliate not so much Ireland as the Irish; who in their dispersion resemble somewhat the other great dispersed people of the world—resemble them in their invincible nationality, in their quenchless love of country, no matter how long it may be lost, or how far left behind—and perhaps in the strange worldwide power which such a scattered and yet unbroken nation is likely to acquire among the races of mankind. We have already dwelt at some length upon the manner in which the peasantry were driven out; the landlords being actuated partly by humane motives, partly by selfishness. We have expressed our belief that emigration, which was undoubtedly necessary to give relief to an overpopulated country, was too sweepingly used—an illustration of the danger of those very efficacious remedies in reckless hands. Nothing was simpler than when the tenantry of an estate were sinking, unable to pay their rents, or unassisted to retrieve their position, to clear them off at the rate of £5 or £6 per head. The land was restored at once to its original value; and they were transferred to a country where, by the exercise of industry and by copying the energy of its inhabitants, they might attain a position unattainable in Ireland. It was all very plain and simple; and the Americans were delighted to receive the population thus cleared off the land of our country, for they put a considerable money value on each able-bodied emigrant. We conferred an immense increase of strength upon our great rival; and threw away what might have been a source of wealth and power, but was, from temporary causes, and from mismanagement, a source of weakness. In the preceding chapter, we suggested how the small farmers whom there is now such a political demand for, might have been retained and restored. If, instead of being allowed to fall three or four years into arrear, they had been assisted to the amount of one of those years' rent absolutely lost, the farmers might have been restored to solvency, and the landlords saved the heavy loss which ultimately they were glad to accept as a condition of obtaining possession of the land. But the history of what might have been would be endless; we must confine ourselves to what took place. It was supposed that the emigrants would give us no more trouble; that, like the lost tribes, they would be heard of no more. It may, however, be imagined, that the multitudes forced into exile did not entertain the most friendly feelings towards the English nation, represented to them by their landlords. Nor were their prejudices corrected by the people amongst whom they had gone to live. They prospered; and many of them grew rich; but still they longed as savagely as when a tatterdemalion army they were landed on the shores of America, for the day of vengeance prophesied of by Meagher, when they should come in sight of Ireland again, and the sunlight should gleam on the bayonets of the Irish army. In the year 1859 the reaction of emigration commenced. For at least two years previously there had been a return of the midnight drills, occasional robberies of arms, and the other symptoms of disaffection from which Ire-

land is seldom wholly free. Even before any movement began to be felt from America, the people at home became conscious of a strength across the water.

It is hard to trace when the connection was established between disaffection at home and its sympathisers abroad. One of the first fruits of such a connection was probably the Phoenix Society, which was believed to have been inspired from the United States. Returned emigrants naturally became promoters of disloyalty. After many years of struggle with fortune, they came back with the idea of settling in Ireland again, and probably expecting, as men do, to find everything much as they had left it. No one recollected them; in the workhouse they might find some old companion, but the world of boyhood had fallen into other hands. The Scotch farmer, in a comfortable slated house, occupied the land that had belonged to them and to their fathers, but did not know that such people ever existed, and had obliterated all the well-remembered landmarks. Then they became conspirators; some who had been in the American army acted as drill sergeants. The Government, however, suppressed this movement with little difficulty. In 1861 the American civil war broke out, and put an end for the time being to the machinations of Irish Americans in the United Kingdom; although we are disposed to think that the recruiting in Ireland for the Federal army had an ulterior object, at least that it was so represented to those who were induced to enlist. An immense number of Irish joined the army of the Northern States, believing that by so doing they would, through the war in which they were engaging, achieve their own object of liberating Ireland. The sympathies and interests of England, if not her arms, were on the side of the Confederates—this alone was sufficient to throw the Irish on that of the Federals, even if there had not been the more obvious reason that the majority of them resided in the northern States. Their nationality was enlisted in the cause; they were formed into a brigade; fighting as Irishmen, they seemed almost to be fighting *for* Ireland; they were at all events gaining the discipline and practice in arms, without which their countrymen at home were so powerless; and there is no doubt that American statesmen did nothing to disabuse their minds of an impression, that, in return for their aid in restoring the Union, America would help them in the liberation of their country. And so possibly she would have done, if the civil war had been more rapidly decided. A war with England was often spoken of as a basis of reunion, and the Trent affair was very near bringing it about;—but by the time that the South succumbed from sheer exhaustion, the national debt had been, to borrow Mr. Sumner's phraseology, "piled mountains high;" there had been a great drain upon the fighting material of the country, and it was too late to think of another civil war on a larger scale. During the continuance of the contest which they deemed the preliminary of a struggle to liberate Ireland, the Irish soldiers formed an association which they called the Fenian brotherhood, so named from the traditionary followers of Fionn or Finn MacCool, as the name is conventionally spelled. The Fenians, or men of Finn, are by some identified with the Phenicians; and legend represents them as the defenders of the weak and the redressers of wrong, skilful in arms, and, according to one account, coming from beyond the sea.



The Irish Americans adopted the tradition as prophetic; and the name was well adapted to catch the fancy of an imaginative and legend-loving nation. Whether the Brotherhood had its beginning before or in the course of the civil war, it made rapid progress during that period of military excitement, and in 1864 its enrolled members numbered 80,000, of whom 14,620 were in the American army or navy. Social, district, and state circles had each their centres, and over all there was a Head Centre, who in 1865 was elevated to the rank of President, and given a Vice-President to assist him in the duties of his office. There was also a Fenian Congress, the first session of which was held at Chicago in 1863, and the second at Cincinnati in 1865. A council of Ten sat permanently to advise the President; and public offices were taken in New York on a scale suitable to the dignity of an independent government. The purchase of this building, furnishing it in a handsome style, and keeping up the requisite staff of clerks—besides paying the salaries of the president, vice-president, and councillors, of course required a considerable income; and this was raised by the issue of Irish Republican bonds, bearing a good rate of interest. They were extensively invested in by the credulous, particularly by domestic servants; simple hardworking Irish girls, who gladly expended their earnings in such a glorious cause; and firmly believed they would be repaid by a nice piece of land with a good house on it, in Ireland. We do not believe, as it was uncharitably assumed, that Mr. O'Mahoney, the president, and the other officers of the I. R. B., or Irish Republican Brotherhood, were a band of intentional swindlers, and adopted this system of raising money merely to defray their own salaries; but as a matter of fact, the large sums thus obtained did go principally to paying the government, and a very small proportion to the purchase of arms, or really advancing the object for which they were subscribed. The application of the funds soon gave rise to dissension; suspicions grew into charges, and angry recrimination ensued. The consequence was a split in the Brotherhood; one party holding with O'Mahoney, and the other, headed by a person named Roberts, deposing him from the presidency. The possession of power and the disposal of funds were not the only grounds of dispute; Roberts advocated the invasion of Canada in order to obtain a basis of operations against England; and he hoped that by making the attack from the territory of the United States, the Government of Washington might be drawn into the quarrel. O'Mahoney and his followers insisted that Ireland herself should be the battlefield, and that everything possible was being done to expedite the work. Already Stephens, the Irish Head Centre, with a number of men discharged from the American army, had made considerable progress in arming and organizing the people, and glorious news would soon be on its way of a successful rising.

The conclusion of the war between the Northern and Southern States was followed by the disbanding of two great armies, and a considerable reduction of the naval forces. Immense numbers of Irish soldiers were let loose; their campaigning had indisposed them for a life of industry, and the superabundance of applicants, as well as the depressed condition of the country, even if they had been desirous to beat their swords into ploughshares, made it difficult to procure peaceful employment.

The consequence was that Fenianism at once assumed a most dangerous and aggressive form. There was an invasion of Ireland by the disbanded armies of America in a shape in which there was no resisting it. Every steamer and sailing-vessel from the United States was freighted with soldiers in plain clothes, generally speaking armed with revolvers, but carrying no papers by which they might, if subjected to search, be criminated. Every town was filled with these men, smart soldierly-looking fellows, darkened by service in the Southern States, and distinguishable by wearing beards and moustaches, which are never worn among the Irish peasantry. They permeated the whole country, even the most Protestant parts of Ulster, and might be seen loitering about every village public-house. Generally speaking, they did not endeavour to conceal their suspicious character by any ostensible occupation; but in some cases they went about as hawkers or peddlers, under the pretence of selling their goods, visiting the farm houses and labourers' cottages, and swearing in the people. The oath was in substance that the juror would be ready to take up arms for the Irish Republic; and another was added for those who were not disposed to be active participants, and was probably compulsory, that they would not fight on the other side, and would not turn informers. Notwithstanding, however, this latter precaution, the government was well informed of the movements and plans of the conspirators; detective policemen and spies were high in the councils of the I. R. B.; there is reason to think they had climbed into the Republican ministry itself; and some went so far as to hint that one of their number had reached the highest elevation of which Republican institutions admit. At last, as the year drew to a close and the preparations ripened, and the moment of action had almost arrived, several hundreds of Irish Americans being congregated in Dublin, and along with a number of men who were brought over from England, kept under pay at the rate of eighteen-pence a-day, large magazines of ammunition and depôts of arms being ready, and a quantity of a liquid known as "Greek fire" bottled for use, the government thought the time had come to strike a great blow that would paralyse the arm of the conspiracy. Parliament was sitting; and on a Friday evening ministers came down to the house and declared the necessity of suspending the constitution in Ireland. The telegraph brought this unwelcome news to the Fenians; they hastened their preparations, and we are disposed to believe that Sunday was fixed upon for the outbreak. But on Saturday standing orders were set aside; the bill for the suspension of the Habeas Corpus Act went through all its stages in both houses, and nothing remained but that it should receive the royal assent. The Queen was at Osborne; a special train was in waiting for the peers who should receive her Majesty's commission; the Houses sat awaiting their return. It was past midnight; who could tell what events might be happening across the water in the darkness; the patient was in imminent danger, and this assembly watching over it was waiting for the remedy; the old and unfailing instrument for the pacification of Ireland was on its way by special train. It was about one o'clock on Sunday morning that the Commons were summoned to the bar of the House of Lords to hear the royal assent which the Lords commissioners had fetched. Lords and Commons retired to

rest with their minds at ease, satisfied that the remedy would work; that before their shutters were opened in the morning the prisons of Ireland, which along with the workhouses are the best managed institutions in that country, would be full to overflowing. But the Irish government had been even sharper than this; for on Saturday, in anticipation of the bill passing, a great sweep was made of the Yankee gentlemen who had for some time been infesting the streets and necessitating that the police should go in patrols and armed with cutlasses. Extensive arrests were made in Cork and elsewhere. Nearly the whole force of Irish Americans and most of the leaders were secured. The Head Centre Stephens eluded the search of the police for a while; but at last his wife, who was purchasing goods in Dublin, was traced to a house at Sandymount, where the chief of the conspiracy was found living in luxury, and, with a companion, also of some note, arrested and lodged in Kilmainham prison. It is said that the Fenians among their other preparations had made the rather inauspicious one of obtaining accurate plans of the jails, and had in some cases succeeded in making friends among the turnkeys. Of all their preparations this was undoubtedly the wisest and the most likely to be practically of use to them. So it turned out in the case of Stephens; the governor of the jail to which such an all-important prisoner was committed does not seem to have exercised due vigilance, and refused extra assistance when it was offered to him. The Head Centre of Ireland effected an escape that was almost magical; there had been no earthquake, and yet the inner doors opened; and, although it was made to appear as if the wall had been scaled, the general belief was that the outer gate also had opened and that the prisoner had walked out. A commission sat; the governor was dismissed and a turnkey was criminated; but it is not for us to say, or even to hint, whether the explanation lay deeper than the insufficient vigilance of the former and the treachery of the latter. Stephens, after keeping the detectives and constabulary busy for some time, escaped first to France and then to America. The prestige of his escape made him for a time the leading man in the I. R. B., and the O'Mahoney and Roberts factions both endeavoured to obtain his countenance. He sided with the former, and prophesied that notwithstanding their temporary reverses, before the end of 1866 there would be fighting in Ireland; but this prophecy was not believed even by the most sanguine of his friends. Previous to his arrival, in order to give an impulse to the movement, O'Mahoney considered it necessary to take some immediate action. Accordingly a descent was planned on the island of Campobello, New Brunswick, from Eastport, Maine. A fast steamer was purchased in New York and despatched thither with arms; and Major B. Doran Killian was given the command of the expeditionary force, which consisted of five hundred men. After a delay of some days, during which the force openly paraded the streets of Eastport, the supply of arms arrived; but on the urgent representation of the British Consul the arms were seized; a war steamer appeared; and although the Fenians succeeded in effecting an incursion, they were immediately obliged to retrace their steps and beat an inglorious retreat. It was now the turn of the Roberts party to show what they could do; and it was planned that a simultaneous invasion

should be made from Buffalo and St. Albans, under Generals Sweeny and Spear, and the Fenians concentrated at both places in considerable force. On the other side, naturally indignant at this unprovoked attack of the Irish upon a country that had been an asylum to multitudes of them, and that was not in any way connected with the wrongs of which they complained, Canada was thoroughly aroused, and the volunteers under Sir John Michel, supported by regular troops, occupied Toronto, Hamilton, London, and St. Catherine. The government of the United States, which it can scarcely be denied, was highly culpable in allowing matters to proceed so far, now interposed its authority; in fact, not to have done so would have been war. A seizure of arms was made at St. Albans, and General Grant arrived at Buffalo; but not in time to prevent the Fenians from partially carrying out their design. Twelve hundred men under Colonel O'Neil, a graduate of West Point, occupied the site of Fort Erie, on the 1st of June; and on the 2d there was an engagement in which nine Canadian volunteers were killed and a large number wounded, while of the Fenians, besides killed and wounded, a considerable number were taken prisoners. Their reinforcements intercepted by the United States authorities, they considered it advisable to recross on the night of the 2d. They nominally surrendered to General Grant, and on giving their parole to abandon the enterprise, were permitted to return to their homes. From St. Albans also on the 7th of June the Fenians under General Spear advanced upon St. Armand; but being confronted by a force of volunteers, they retreated with a loss of fifteen taken prisoners. Meanwhile a proclamation was issued by the President for the preservation of neutrality. Sweeny and Roberts were arrested, the latter owing to his refusal to enter into any engagement, being detained in prison for several days, but in the end released unconditionally; and general Meade checked further movements from St. Albans. In August another invasion was threatened, but did not take place; and the design of seizing Canada was finally, it is to be hoped, abandoned. The Fenian prisoners were put upon their trial, and one of them named Lynch was condemned to death; but notwithstanding the injudicious interference of Mr. Seward, the sentence was commuted, by the advice of the home government, to penal servitude for life. There was so little justification for the attack upon the Canadian colonists, which was not privileged as an act of rebellion is, in the opinion of most Englishmen, and was so completely distinct from insurrection at home, that if the extreme sentence had been carried out, there might have been a question as to the policy, but there would have been none as to the justice of the execution. The object of the raiders was not to effect the liberation, but the conquest of Canada; and such an object, when pursued by individuals unauthorized by any State, is distinctly piratical; and those who endeavour to effect it, deserve the punishment of death. We recognise the right of the Fenians to attempt at their peril the overthrow of English rule in Ireland by all fair and honourable means, as the Garibaldini effected the liberation of Naples; but to make a bloodthirsty attack upon a free and independent and friendly people, was an act for which there was no excuse, and which could not be regarded as privileged. Certainly the United States government had



earned no right to advise us; for the remissness of England in allowing the clandestine escape of the Confederate cruisers was not comparable even remotely to the conduct of the Washington government in freely tolerating up to the last point, and then failing to restrain the Fenian raids. It permitted great bodies of men commanded by American officers, some of whom were in its pay, to move through the country in military array with the openly proclaimed purpose of invading a friendly State, and these noisy swarms to concentrate on the frontier. Then, when a peaceful country had been thoroughly alarmed, thousands withdrawn from their occupations to meet an invasion, and an army of volunteers and regulars distributed on the Canadian side, General Grant was ordered to appear at Buffalo as the *deus ex machinâ*; but so desirous was the American government that anxiety should not be relieved too soon, or the interest of the plot marred to the last moment, that its precautions came too late; Canadian soil had been violated, blood had been spilled; and when the raiders returned to the shelter of the States, the leaders who were responsible for this unjustifiable bloodshed were allowed to return home in peace, or to resume military duties in the American army. That we should have passed over such gross neglect, and the great loss and inconvenience it entailed on our colony, was the worst compliment we could pay to the government of the United States.

We have alluded to the prediction of Stephens, that notwithstanding the capture of the organizers of the conspiracy in Ireland, and the flight of all who could escape, there would be fighting before the conclusion of the year. But 1866 ended without the fulfilment of his promise. It was generally believed that the Fenian conspiracy was practically at an end, and would not suffice much longer even for the support of a needy president and half a dozen head centres. At the commencement of the session of 1867, the Queen's speech (February 5) contained the following paragraph relating to Ireland—

"The persevering efforts and unscrupulous assertions of treasonable conspirators abroad, have during the autumn excited the hopes of some disaffected persons in Ireland, and the apprehensions of the loyal population; but the firm yet temperate exercise of the power entrusted to the executive, and the hostility manifested against the conspiracy by men of all classes and creeds, have greatly tended to restore public confidence, and have rendered hopeless any attempt to disturb the general tranquillity. I trust that you may consequently be enabled to dispense with the continuance of any exceptional legislation for that part of my dominions."

The announcement was made in the debate, that it was not proposed to renew the Habeas Corpus Suspension Act; most of those detained under it having been already released, and there being no apparent likelihood of its being wanted again. Five days after this announcement England was thrown into a state of incredulous amazement, by learning that Chester Castle was threatened by a large force of Fenians, and that the Guards had been despatched to defend it. A portion of the press ridiculed the idea, and declared with the utmost confidence that a "prize fighter's ruse" had been taken for a Fenian invasion. The facts of the case were as follows. On the 11th of February,

many hundreds of young men, unmistakably Irish, poured into Chester from Manchester, Liverpool, and other towns, without any ostensible object. The inhabitants became much alarmed as the numbers increased, and still they kept pouring in by every train, as well as on foot by the turnpike roads, and the belief became general that they were Fenians, and that their design was upon the 30,000 stand of arms in Chester Castle. The Mayor telegraphed to the Home Secretary; troops were immediately ordered from Manchester, and the Volunteers were called out. Towards evening it was reported that so many as fifteen hundred strangers were in or about the town; they moved about in groups, and on any attempt of a citizen to join a party, immediately dispersed and met again. A public meeting was called at 7 o'clock, at which a large number of special constables were enrolled, and the Volunteers who had been temporarily dismissed were again put under arms. Meanwhile a battalion of the Scots Fusilier Guards were hastily despatched by special train from Euston Square, and arrived in Chester at half-past two o'clock in the morning. On the twelfth the strangers went, as they came, in silence; and by night they had all disappeared. A field adjoining the railway station was found to be strewn with cartridges which had been prepared for the rifles they purposed seizing; packets of cartridges were also found in the river Dee. The whole plan was afterwards ascertained from those who turned informers; the intention was, having secured the arms and cut off telegraphic communication, to take possession of the railroad and proceed to Holyhead; seize the large Kingstown and Holyhead steamers, and cross over to Ireland. Scarcely had the sensation caused by this mysterious affair subsided, when upon information from Liverpool the steamers arriving in Dublin at the North Wall, were boarded by the police, and large bodies of men arrested; extensive arrests were also made in Cork. Then came intelligence that the insurrection had really commenced in Kerry; the first notice of it was given by a run upon the banks in Killarney and Tralee. The farmers and country people who had deposits came flocking in for two or three days before, and insisted upon being paid in gold. The banks were besieged by depositors; and when there was a short delay in the arrival of specie for which the managers had telegraphed, there was a perfect panic among the crowds of simple country people who filled the streets, and who firmly believed that the whole established order of things was about to be overthrown. No extraordinary steps were taken by the authorities until the telegraph wires communicating with Cahirciveen and Valentia were found to have been cut, and information was received that a Fenian rising was imminent, and that a person named Moriarty, recognisable by a disfigurement which he had received in the American war, would arrive next morning by the long car from Cahirciveen to take the command in Killarney. The car was met outside the town, and Moriarty was brought in a prisoner; but during the day vague news filtered through the people to the authorities of a rising in the south-west of the county, and towards the evening it was reported that many thousands of Fenians were marching on the town. The cutting of the telegraph wires kept the magistrates at Killarney in ignorance of what was occurring in Cahirciveen. There the design of the insurrectionists had been to seize and pillage the

town, raise the country, and march upon Killarney and Tralee. One of their number on the evening before warned the head constable to have the gunboat moved up to a position where it would command the town; this advice, which was given from a feeling of compunction, was acted upon, a body of marines was landed, and so much of the plan frustrated. Nor did the country rise; but seven or eight hundred men miscellaneously armed, a large number of them with American rifles, set out upon the march. Their achievements in the way consisted of plundering a coast-guard station at Kells, a little fishing village near Rossbeigh, and shooting a mounted policeman, who endeavoured to ride through them with despatches. The Fenian leader, Colonel O'Connor, fired the shot, and thus prevented authentic news of the outbreak from reaching Killarney that day. Meanwhile as darkness closed about the miserable town that gives its name to the Lakes, the excitement of the people grew intense; the gaslight from the shops and public houses lighted up an idle but expectant crowd. The constabulary drew in from country stations, and to the number of thirty, commanded by the sub-inspector, Mr. Colomb, were posted in the Railway Hotel—a building of great size which stands opposite the railway terminus. Most of the neighbouring gentry flocked into the hotel in great alarm. It was understood to be the intention of the Fenians to burn the principal houses, particularly Muckross Abbey and Kenmare House. At the former, a barge was moored upon the lake ready to receive and carry to one of the islands the family of the proprietor, who was absent from home; and the gamekeepers and other retainers were armed, under the direction of the clergyman of Muckcross. Nothing as yet was known of what might be expected from the Fenians, or what kind of assailants they would prove; but as a proportion of them were believed to be American soldiers, with great experience of fighting, and whose courage had been tested in trans-Atlantic battles, it was feared that the resistance might prove ineffectual; we can remember that it was doubted whether such veterans might not be more than a match even for British soldiers. This was undoubtedly the most trying moment in the whole course of the conspiracy; the force believed to be approaching containing many desperate men accustomed to bloodshed and plunder, was said to amount to several thousands, to be well armed, and bent upon extermination; and it seemed incredible that military officers of experience should have neglected the obvious precaution of destroying portions of railway and breaking down bridges. Having large numbers of adherents along the line of railroad to Mallow, and the rising having been premeditated, their neglect of this measure is inexplicable, unless on the supposition that they intended the Kerry rising merely as a feint to draw away troops from the rest of Ireland.

On the supposition that they had broken the railway communication, it was feared help would come too late. The small body of police posted behind the sandbags with which they had fortified the hotel windows, and the families relying on their protection, naturally passed an anxious night; and never was a more welcome sound than that caused by the arrival at 3 or 4 o'clock in the morning of a train bringing in a detachment of the 60th Rifles. Then troops of all arms began

to arrive, and as the bugles sounded, and the tramp of detachment after detachment was heard, the anxious inhabitants went to sleep in peace. Immediately on the arrival of the Rifles, they were despatched along the road that borders the northwestern shore of Loch Leane, by which the rebels were supposed to be approaching. After marching nearly as far as the Gap of Dunloe, they turned back to Killarney; but had they proceeded half a mile further, they would have met the Fenians, who, fagged by a march of thirty miles, and disheartened by the falling off of many of their number, would have proved an easy capture. They, on their part, on hearing of the preparations to receive them in Killarney, turned aside and entered the woods on the Toonies, mountains which rise from the side of the Lower Lake, opposite the town of Killarney, and reach to Muckcross demesne. The next day, Brigadier-general Sir Alfred Horsford, who was in command of the troops, endeavoured to surround the Fenians in the woods where they were known to be concealed; traces of their presence were found, the horse and saddle of the mounted policeman—but no prisoners were captured. Mr. Herbert of Muckcross, who arrived in Killarney by special train, fully expecting to find his house burnt down, assisted in the pursuit, and almost touched one of the principal Fenians who was lying concealed in the bracken, and who covering him with his revolver, held his breath and remained undiscovered. The great mistake was made of supposing that the fugitives could not escape on the side of the Gap of Dunloe, and not sending troops to occupy it. In the early dawn next day, some moving specks were seen on the horizon of the mountains; under good guidance the Fenians crossed and descended the Purple Mountain on which the goats seem barely able to maintain their footing; they were observed passing over a bridge in the Gap; they obtained food at some farmhouses, and probably escaped in the direction of Kenmare. A detachment of soldiers was sent round on outside cars, and learned these particulars; the Irish peasant has a mischievous pleasure in giving information, when it is past being turned to account. The leader, Colonel O'Connor, alone remained in the neighbourhood of Killarney; and for some weeks, whilst a vigorous search was being made for him, lived within half a mile of the town in the boat house of Flesk Priory. The fishermen of the lakes brought him food, and while the mountains were scoured and the deer forests explored, no one thought of searching such a spot; but it required some nerve to sojourn within hearing of the bugles of the military, as a large reward was offered for his capture, and he was pretty sure of being hanged, if caught.

This ended the Kerry rising. Sir A. Horsford, with four hundred men, continued in occupation of the Railway Hotel, and a gunboat with a force of marines was moved up the Kenmare river. But while men were congratulating each other on the collapse of Fenianism in February, with the beginning of March it burst out again, simultaneously over the whole country. Ash Wednesday, the 5th of March, was the day chosen, with a view to impressive effect, for the general rising to take place. Roman Catholics at that black and bitter time of year, on the day which commences a long period of penance and mortification, come up one by one to the altar, and the priest signs with ashes a



cross upon their foreheads repeating the words in Latin, "Thou art man, and man is dust, and to dust thou shalt return." But however well chosen, regard being had only to dramatic effect, it was a most unfit season to commence a guerilla warfare. The long dark nights, advantageous to burglars, were not so to rebels; and the bitter cold soon covered the mountains, the fortresses of an insurrection, with a sheet of snow that made them untenable. On the evening of the 5th the Dublin Fenians withdrew from the city, street-fighting not being consistent with the general plan of the campaign, which was to keep up a desultory harassing warfare, destroy or capture the small bodies of military police scattered over Ireland, but come to no decisive engagement. The rebellion was to be everywhere, yet nowhere—to show no substantial front to the attack of disciplined troops and artillery. The seizure of Dublin castle had formed the central point of former rebellions; but the design of this was to undertake no enterprise above the strength of new and ill armed levies; murder and plunder were prohibited. In fact the Fenians were not to fight, but to run away,—from policy, not from want of valour—and in other respects to behave like the chivalrous Fenians of old. The great object was to keep up a rebellion long enough and with sufficient success to give the government of the United States an excuse for recognising them as belligerents and letting go half a dozen Alabamas. Fillibustering expeditions would have been organized in America if the Fenians had made any head, and probably a war would have become inevitable. The rebellion failed to achieve its object partly from the inclemency of the season, partly from the fact that the rebels could not even storm a police barrack, and did not give their friends the flimsiest pretext to recognise their belligerency. Tallaght, a quiet village six or seven miles from Dublin, was the place where the rebel forces were to muster; and thither under the shades of a winter evening hastened upwards of a thousand men and lads, principally of the labouring classes, but with a sprinkling of drapers' assistants. They were armed with rifles and revolvers, pikes and daggers, and had a supply of bread and meat. Scarcely had they cleared the outskirts of Dublin when troops started in pursuit. There were Scots Greys and infantry, and three guns at their heels; and when they approached Tallaght, a few police under sub-inspector Burke were drawn up across the road, and on the Fenians firing upon them, discharged a volley aimed low into the thick of the crowd, which took considerable effect. Donoghue, the Fenian leader, was killed, and his followers not knowing what force was in front, escaped into the fields. The military now arrived, and the Fenians made for the mountains, the pursuit lasting all night. Two hundred and fifty were captured and brought into Dublin next morning; the dark line of prisoners, guarded on either side by military, marching to the Castle Yard, where they were to be paraded before the lord-lieutenant, reached the whole length of Dame Street. Besides the prisoners, who presented a most wretched appearance after a winter night's experience of rebellion, a great quantity of arms, which had been cast away in the flight, were found along the road between Rathfarnham and Tallaght, and brought in by the troops. While this was going on, similar disturbances took place at Drogheda, and more or less over the

whole of Ireland south of Dublin. The following proclamation justifying a resort to arms was sent to all the newspapers; we quote it at length because it expresses, not without force, the genuine belief of a majority of the unendowed classes:—

“I. R. Proclamation! The Irish people to the world; we have suffered centuries of outrage, enforced poverty, and bitter misery. Our rights and liberties have been trampled on by an alien aristocracy, who, treating us as foes, usurped our lands and drew away from our unfortunate country all material riches. The real owners of the soil were removed to make way for cattle, and driven across the ocean to seek the means of living and the political rights denied them at home; while our men of thought and action were condemned to loss of life or liberty. But we never lost the memory and hope of a national existence. We appealed in vain to the reason and justice of the dominant powers. Our mildest remonstrances were met with sneers and contempt. Our appeals to arms were always unsuccessful. To-day, having no honourable alternative left, we again appeal to force as our last resource. We accept the conditions of appeal manfully, deeming it better to die in the struggle for freedom than continue an existence of utter serfdom. All men are born with equal rights, and in associating together to protect one another and bear public burdens, justice demands that such association should rest upon a basis which maintains equality, instead of destroying it. We therefore declare that unable to endure longer the curse of monarchical government, we aim at founding a Republic, based upon universal suffrage, which shall secure to all the intrinsic value of their labour. The soil of Ireland, at present in possession of an oligarchy, belongs to us the Irish people, and to us it must be restored. We declare also in favour of absolute liberty of conscience, and the complete separation of church and State. We appeal to the Highest Tribunal for evidence of the justice of our cause. History bears witness to the intensity of our sufferings; and we declare in the face of our brethren that we intend no war against the people of England; our war is against the aristocratic locusts, whether English or Irish, who have eaten the verdure of our fields—against the aristocratic leeches who drain our blood and theirs. Republicans of the entire world, our cause is your cause; our enemy is your enemy. Let your hearts be with us. As for you, workmen of England, it is not only your hearts we want but your arms. Remember the starvation and degradation brought to your firesides by the oppression of labour. Remember the past; look well to the future; and avenge yourselves by giving liberty to your children, in the coming struggle for human freedom. Herewith we proclaim the Irish Republic.

(A harp)

THE PROVISIONAL GOVERNMENT.”

This address, concocted in Dublin, *urbi et orbi*, with all its finery of language, and reading rather ridiculously in the light of the event which it announced, is confirmatory of the view we have already taken of the popular land theory; and we also see American and Mazzinian elements breaking out in its composition. We cannot enter

into a detailed account of the disturbances announced with such a flourish. There were many unsuccessful attacks upon police barracks, repetitions of the battle of Ballinacorney. The most sustained of these was at Kilmallock, where a notable Fenian named Dunne was in command; but the police defended themselves valorously until relief arrived. There was also a sharp struggle in Drogheda, where a great many Fenians were killed, wounded, and taken prisoners. The proceedings of the Cork Fenians rather resembled those of the Dublin; but they were not followed up with the same vigour, and most of them got safely home. In Tipperary a detachment of carbineers under Mr. de Gernon came upon a Fenian camp which had been established upon an ancient Danish rath. The carbineers spiritedly charged up one side, the Fenians down the other with the advantage of the ground; five of them were shot, and their leader, Bourke, was wounded and taken prisoner, and proved to be an important capture. The rebels were driven away from a repast which they were about to make on the carcase of a pig and two bags of potatoes. To the Tipperary Fenians had been intrusted the important task of seizing the Limerick Junction, where the Dublin and Cork railway is intersected by the Limerick and Waterford, not far from the town of Tipperary. Efforts were made by blocking the line and tearing up rails to prevent the military from taking possession of it; but the authorities were too quick; the obstacles interposed were feeble, the damage was soon repaired. The Fenian general, Massey, who was to have commanded in Tipperary, but had been accompanied over from New York by a detective, was arrested in the refreshment room, and fainted in his captor's arms; a large force was soon concentrated at the junction, and flying columns were sent out which rapidly traversed the country on outside cars, and obliged the Fenians to take to the mountains. Large masses of them were observed on the Galtees, and a fall of snow made them still more visible; even there they were pursued, and after some days of great hardship, were obliged to disperse to their homes. Six flying columns were organized to act from Limerick, Tipperary, Thurles, Cork, Mallow and Waterford, each accompanied by a stipendiary magistrate. Their rapid movements made it impossible for the rebels to concentrate anywhere, and soon reduced the whole region to its normal condition. Only in one instance was there anything in the nature of a collision; it occurred at Bansha wood, and resulted in several Fenians being killed and wounded, and forty captured.

The suppression of the insurrection was followed by its judicial consequences. Special commissions were held for the trial of the prisoners; the jails of Ireland were crowded with them to such an extent that it was necessary, in order to make room, to transfer a large number of convicts to those in the North of Ireland. It was a good sign that no difficulty was experienced in finding juries to convict; and the counsel and judges who took part in the proceedings, lost no opportunity of impressing upon the people the folly, and consequent criminality, of the attempt in which they had been engaged to separate from the British empire. They were reminded that, owing to the enormously increased power which modern inventions gave to regular troops, no insurrection could henceforth be successful against a state possessing an army,

but a military pronunciamiento; and the attempts to corrupt Irish soldiers, with scarcely any exceptions, had not only been unsuccessful, but had generally resulted in the exposure and punishment of the persons making the attempt. The good effect of such reasonings was somewhat neutralised by the speeches of the prisoners, which were in some cases eloquent and fervent, and excited strong sympathy. Bourke particularly, on being called on to say why the death sentence should not be passed upon him, made a speech which, though inflated in style, was evidently full of genuine patriotic feeling, and produced a great sensation in Ireland. It was fortunate that the government of Lord Derby, after considerable hesitation, and to the dissatisfaction of the landlord party in Ireland, consented to commute the sentence to penal servitude for life. Most of the prisoners were indicted for treason-felony, and received sentences which were severe, but it was believed nominal. The rebels of '48 had all been pardoned, except those who broke their parole and escaped; and no doubt was entertained that the same clemency would be extended to the Fenians. We should add, that the nature of the evidence on which the prisoners were convicted helped to enlist popular sympathy in their favour. The infamous traitors, Corydon and Nagle, made the accused seem to be on the true and right side. The only informer of any respectability was the general Massey, who was to have taken the command in Tipperary, and who, in order to save his life, gave very important information.

Such was the end of a rebellion which could not possibly have achieved its object. Sir Hugh Rose, who was one of the generals that had quelled the Indian mutiny, and as the bloodthirsty delighted to recall, had blown the Sepoy prisoners from his guns, was in command of a powerful force. An army could be thrown in a few hours upon any part of the country where disaffection might arise. Ireland was no Poland, where 20,000 rebels could baffle 180,000 regulars. It is intersected by roads and railways which make it easily penetrable in every direction. The length and breadth of the land is studded with police stations, and in no one instance where the constabulary defended themselves, were their assailants successful. As we before said, the season of the year was particularly ill chosen. Above all, the immense influence of the Roman Catholic church was put forth against the conspiracy, and this cut it off from the support of the best part of the people. The weight of this influence, after the failure of the insurrection, was to a great degree taken off. When sympathy grew strong for men who had ceased to be rebels, and through the process of conviction and punishment had become the confessors and martyrs of Ireland, the Roman Catholic church was obliged to relax its severity, and allow the priests more liberty to give play to their strong national feelings. Hence, as the conspiracy fell, the sympathy with it rose; and whereas Lord Wodehouse was able to say in 1865 that there was no Fenianism among the occupiers of land, two years after this would have been a rash and fallacious assertion. Marked Fenians, however, were obliged to take refuge in England, where the Habeas Corpus Act was not suspended. On the 18th of September 1867, two important prisoners, named Kelly and Deasy, were being conveyed by the Manchester police in a prison van from the police court to the jail, and were rescued by a body of fifty or sixty Fenians



who lay in wait in the Hyde Road. Serjeant Brett, the police officer, who was inside the van, was shot dead on refusing to give up the keys, and the prisoners got away and were not recaptured. Many persons supposed to have been engaged in the rescue were arrested, and the first batch put on trial consisted of Allen, Larkin, Gould, Maguire, and Shore. They were all found guilty of being concerned in the murder of serjeant Brett, and sentenced to death. The next two batches of prisoners, tried upon the same charge and on the same evidence, were acquitted by English juries in Manchester, where the offence had been committed. It was proved immediately after that Maguire was innocent, although he had been convicted on the same evidence as the others, and he received a free pardon, and was reinstated in the Royal Marines, in which he had been a private. Shore was also exempted, and all being taken into account, there was a strong feeling that the capital sentence would not, and ought not to be carried out upon the other three. Their counsel raised a point of law which, if it had been admitted, would have justified the act of which they were convicted. It was alleged that the warrant was imperfect upon which Kelly and Deasy were arrested; and that their friends were therefore entitled to rescue them by violence, and if necessary, to kill those who were taking them to prison. The cases appealed to were *R. v. Hopkin Huggett* (Chief Justice Kelyng 59) and *R. v. Tooley* (2 Lord Raymond 1296) and the language of Sir Michael Foster in his discourse on crown law. The former arose out of the rescue of a man who was impressed; but it differed from the Manchester rescue in being a sudden unpremeditated affray; eight judges held the offence to be but manslaughter; the four judges of the Queen's bench held it to be murder, but gave way to their brethren. The second case which was decided to be manslaughter by seven against five, was much stronger in favour of the prisoners, but was still wanting in the character of premeditation. But it was decided in this case that *ignorantia facti* did not matter, as it could not possibly be regarded as in itself condemnatory. Chief Justice Holt said on this point that if a man had shot a thief breaking into his house, supposing him to be a bailiff, that false supposition and ignorance of the truth would not make the deed murder. Mr. Justice Blackburn consulted the other Judges, and it appears that they were all of opinion that the point was not one which it would have been advisable to reserve; and if there had been a postponement of the execution, the result would have been the same, however the point had been decided. The most intense interest was taken in the case in Ireland; the speeches of the prisoners were read with passionate concern—and the cry which they uttered together at the conclusion of Shore's speech, "God save Ireland!" and Larkin's, "God be with ye, Irishmen and Irishwomen," had gone to the Irish heart. The crime in which they had been concerned was not what is popularly considered murder; and if it had been possible to avoid carrying out the sentence, either on the ground that the evidence was manifestly unreliable, or on a point of law, it might have discredited the ministry, and it might have been wrong and unjust, but it would have been most politic, and would have been regarded as a concession to the feelings of the Irish nation. Allen, Larkin, and Gould were executed on the 23d of No-

vement, and we shall never forget the effect produced in Ireland by the news of the execution. It was the most real grief that we have ever seen a public event produce; we can assert from close personal observation that it doubled the strength of Fenianism, both in the number of its sympathisers and in depth of feeling. It had also an effect on the conspiracy itself, which, in the end, withdrew from it much of the sympathy derived from the Manchester execution. A bitter and criminal spirit entered into its councils from which they had heretofore been free.

On the 13th of December, the wall of Pentonville prison was blown down by an explosion of gunpowder,—the design being to release the Fenian prisoner Bourke, who was supposed to be at exercise in the yard, the necessary concomitant of destroying the neighbouring houses and their inhabitants and seventy or eighty of Bourke's fellow-prisoners being disregarded by the conspirators. The Home Office had information of the plot the day before; but owing to a want of vigilance on the part of the police, who were set to watch, it was successful so far as blowing down the wall; but Bourke having been kept in his cell, did not succeed in escaping. The supposed perpetrators of the outrage were put upon their trial, but not convicted. In the beginning of 1868 two other Fenian crimes were committed, one in Canada, where the Hon. T. D'Arcy M'Gee was shot on his own door-step at Ottawa, just after leaving the House of Commons, the cause of the crime being his hostility to Fenianism. Almost the last words he uttered were in the conclusion of a speech, that he was base who would not sacrifice his popularity to the good of his country. The other crime was the attempted assassination of the Duke of Edinburgh in Australia, the wound fortunately not proving fatal. In both cases the assassins were apprehended and hanged. Mr. Disraeli observed in moving an Address to the Queen on the escape of her son, that "some centuries ago the world was tortured with the conviction that there was some mysterious power in existence which could command in every camp, and court, and capital a poniard at its disposal and devotion. It seems at this time too that some dark confederacy of the kind is spreading over the world." Such deeds had a great effect in putting down Fenianism; while at the same time, combined with a number of wild rumours of Fenian designs which kept England in a panic, they produced a determination to take from Irishmen every cause of complaint, and to destroy the very elements of disaffection. If this can be done, it will be indeed a great and happy work; but meanwhile it is not to be supposed that the Fenians are extinct. Like Frederick Barbarossa's knights, they wait for the hour to strike; but undoubtedly their arms are growing rusty, and as we leave the great American civil war behind us, the danger diminishes year by year.

## CHAPTER XIII.

## FALL OF THE IRISH CHURCH ESTABLISHMENT.

Proselytism and its effects—Opposition in the Irish Church to reform—The fall of the Establishment foreseen, but supposed to be distant, by Mr. Gladstone and others—Fenianism precipitates it—Lord Mayo's proposal—The Liberal party take up the Church question for the Election—The Resolutions carried—Ministerial explanation—Bill to suspend appointments—Passed by the Commons; rejected by the Peers—General Election and large Liberal majority—Resignation of the Ministry—The Irish Church Act as introduced—Amendments rejected—The Bill goes up almost unaltered—The Peers give it a second reading—Important Amendments—Rejected by the Commons—The Peers begin to insist—Compromise between Lords Granville and Cairns—A measure of Confiscation—Resentment of Irish Protestants—Its real cause.

THE forces which brought about the fall of the Establishment in Ireland were not evolved all at once; nor were they brought into being by the will—"the arrogant will"—as the Marquis of Salisbury termed it, "of one man." The strongest statesman is the servant, not the master of change. Mr. Gladstone, with all his power, could not have overthrown the Irish Church if it had not been in its own condition ready to fall, if the English mind had not been prepared for the measure by unforeseen events, and if the Church had not become obnoxious to five-sixths of the people of Ireland. It was not always so; after the settlement of the Tithe Question in 1837, the Protestant clergy became rather popular with the people. In many ways they made themselves useful to their neighbours. Their advice in medical matters was often preferred to that of the dispensary physician. In anything connected with public business, being looked upon as the paid agents of the Government, they were applied to in preference to the Roman Catholic priest, whose interference it was naturally supposed would be prejudicial to those for whom he acted. The wives and daughters of the clergy were kind and charitable, and the farmers and peasantry made returns in the shape of farm produce, gratuitous labour, the loan of horses, ploughs, and carts, advice as to farming operations, assistance in selling and buying. Never was there a better feeling prevalent; the fiendish spirit engendered by religious controversy had not yet entered in; the priest sat at the parson's table, and they eat and drank together like brother prophets. Well do we remember those happy times when between the Protestant clergy and the people a real affection had sprung up,—when from every peasant encountered on the road there was a friendly and respectful greeting for "the minister." The church was safe while this state of things continued. A time came too when a still kindlier feeling arose; when respect became veneration. In the dreadful years of famine the clergy of the Establishment did heroic work; and many of them sacrificed their lives for the Roman Catholic peasantry. But out of the famine commenced a movement which soon made a complete revolution in the feelings of the people. Some individuals, actuated no doubt by the best intentions, were so misguided as to select the moment when the poor, prostrated in mind and

body, were in a state to fall an easy prey to any one who offered them the means of life, to tamper with their faith, and endeavour to make converts to Protestantism. They had considerable apparent success, though it is questionable how far any ignorant person nurtured from infancy in the Roman Catholic religion, which we know takes such hold upon the heart, is capable of being honestly convinced of its falsehood. This may seem to be contradicted by the great fact of the Reformation; but we must remember how different is such a work, before and after antagonism of creeds has been established; how much the Reformation itself was political—its boundaries being mostly conterminous with the boundaries of those princes who supported it; how superficial was the Roman Catholicism of Luther's time, and how much, reacted on by the Reformation, it has changed internally. In Ireland especially it is a deep, sincere faith. The Irish are carefully instructed, and are the best Roman Catholics in the world. The priests have always been their political leaders; have identified themselves with all their aspirations, and have, it may fairly be said, won for them their freedom. Hence, to become a Protestant, is regarded in Ireland not only as religious apostasy, but as an act of treachery to a political cause, and base ingratitude to political leaders. We cannot pretend to determine whether the so-called converts were genuine or not; in our own experience they were, with scarcely an exception, impostors; but if the extensive conversion of the peasantry had been effected at a time when their minds had not been weakened by suffering—and if the pangs of famine had not supplied a motive, we should be prepared to believe that we were simply unfortunate in our experience. We know that many of those engaged in the work had more hope of the children of their converts than of the converts themselves; and possibly tolerated and even encouraged imposture, in order to obtain possession of the impostor's family. The movement prospered externally, and the clergy in all parts of Ireland emulously strove to produce converts. It was possible to find in almost any parish a few persons of doubtful character willing to be nominally converted. The Roman Catholics always took the worst view of a "conversion," and put in force against the converts the extreme form of excommunication; so that to prevent their actually starving, the clergy were obliged to provide for their support,—thus fairly laying themselves open to the charge of bribing. The ignorant but quick-witted peasantry immediately fancied they understood the motive of those noble exertions which had been put forth by the Protestants during the famine; their design was to induce them to change their religion—to sell their souls to the proselytisers. The wildest rumours gained credence; it was said, for instance, that the Protestant clergy were paid by government for every wretch they induced to declare himself a convert, and for every child they succeeded in buying or kidnapping from its parents they received a regular fee. We have, on several occasions, been applied to for the money that was supposed to be going—and applicants who declared their willingness to come to church have scarcely been driven away by the threat of exposure to their own priests. The clergy were firmly believed to be the agents of a gigantic system of bribery, and both they and their converts endured no little persecution in



consequence. The Church of Ireland was by this process made thoroughly hateful to the people; and its downfall was, if we go back to first causes, due to the proselytising system. On the other hand, the gain in converts was paltry; and although we cannot support the assertion by statistics, we are convinced by personal observation, that the Church of Rome working silently, without boasting, and without eleemosynary appeals, has been decidedly the gainer in the battle of proselytism. The movement brought such obloquy on the Protestant poor, that many of them, particularly the young, preferred going to mass with their neighbours, to enduring the mockery and persecution to which they were subjected as Protestants; while the Roman Catholics grew more bigotedly attached to their religion in proportion as their blood was aroused.\* We could instance localities in which, after a number of years of mischievous activity, the missionaries had achieved a negative result—that is, they had Romanized instead of Protestantizing the population. In the end, they only succeeded in calling attention to the fact, that as a missionary church the Irish ramification of the English Establishment had completely failed, and all over the south and west had lost its own flocks instead of gaining those of the church to which it was opposed. The extent of this loss may be judged from the large proportion of the Irish peasantry—probably a half—bearing English and therefore Protestant names.† Orangeism too contributed to the misfortunes of the Irish church; the motto inscribed on its banner, “Church and State,” connected the Establishment with that pernicious discord and violence, which are most repugnant to the spirit of Christianity. The progress of the Roman Catholic laity, also, in wealth, education, and social position was attended by a growing discontent at the stigma of inferiority, which attached to the profession of their religion.

Meantime discussions were occasionally raised in the House of Commons in which the change of feeling began to tell. But still it was only in the small radical section that hostility showed itself openly; the mouths of the Roman Catholic members were still sealed with an oath. In 1857, Mr. Fagan procured the abolition of Ministers' Money; this was the capture of an outwork, and the enemy from the point they had gained crept on their advances. The anomalies of the church began to be systematically exposed, and a heavy fire of facts and figures was kept up on its defences. In vain its champions endeavoured to obscure the fact, that over large districts where Protestantism was richly en-

\* Two societies were established to carry on the work of proselytism in Ireland—Irish Church Missions to Roman Catholics, and the Irish Society. The latter sent out agents to read the scriptures in the Irish tongue—the former had also its army of scripture readers, held public controversies, and posted placards and distributed bills, often of a nature most offensive to sincere Catholics. Pious Protestants would object to having what they would consider blasphemous bills handed to their children or posted for their perusal, casting doubt or even ridicule on the Christian religion; but they expected that the Roman Catholics would receive in a spirit of calm inquiry aspersions, often in the worst taste, on the mysteries of their religion. It is remarkable that the missionaries had little or no success in the more prosperous parts of Ireland; and that the two places where they did make some mark,—Connemara in the west, and Dingle in Kerry,—were also those which would be marked on a map as the poorest spots in the whole island.

† Some slight allowance must be made for the pre-Reformation settlement of Ireland.

dowed, there were no Protestants, except a few artificially raised—the church and they mutually existing for each other—by dividing among them upon paper the population of Belfast and Ulster, and giving congregations to the southern and western clergy, by the easy but not very convincing process of striking an average. Other and better arguments, however, were not wanting to the defenders of the Irish Church—but in spite of the cogency of their reasoning, there were many Churchmen whose hearts failed them; and who earnestly advocated, as the only method of rendering the position of the Irish Establishment secure, a sweeping internal reform. The law already provided that a parish, where there were no Protestant parishioners, should on the death of its incumbent be united to a neighbouring parish—its income to be transferred to the Ecclesiastical Commissioners for application elsewhere, or restored in case of its ever regaining a Protestant population. This might have been made the germ of a thorough redistribution by which all anomalies would have been removed; while any surplus that remained over and above the supply of the Church's legitimate wants, might have been as the Whigs (who were not such bad friends to the Establishment), proposed in the Appropriation Clause, applied to the purposes of national education. The Establishment might have been saved by submitting to such a process; but Churches always seem incapable of *internal* reformation. The great body of the clergy set themselves steadfastly against change, and doggedly defended every anomaly,—in fact, seemed to have that unaccountable taste for anomalies which corporations generally acquire. The bishops, who ought to have taken reform in hand, were afraid to touch an old and insecure fabric; and the only prelate who made any movement, emphasised the inaction of his brethren. Although it was evident that in the end numbers must carry the day, it was believed there was no immediate danger; and those who were benefited by the anomalies and inequalities of the church had little concern about the future. Wise in their generation, careless for what lay beyond it, the Irish clergy might have been justified in their policy of inertness, had it not been for a vast deranging influence, beyond the foresight of ordinary men. Fenianism precipitated the fall of the Irish Church. This conspiracy defeated in Ireland broke out over the whole empire, and all the wild alarms which prevailed in England, particularly in the metropolis, brought the Irish question home to the cockney mind as it had never been brought home before. The public was prepared for anything that would remove the cause of its alarm. Hence statesmen who thought just previously that the Irish Church question was a question of the future, suddenly found it possible to convert it into the question of the day. So late as 1865, Mr. Gladstone, in a letter to a Dr. Hannah, referring to the interpretation put upon one of his speeches, used the following expressions: "The question is remote and apparently out of all bearing on the practical politics of the day." "One thing, however, I may add, because I think it is a clear landmark. In any measure dealing with the Irish Church, I think (although I scarcely ever expect to be called on to share in such a measure) the Act of Union must be recognised, and must have important consequences, especially with reference to the position of the Hierarchy." Had some prophet

then met him, and looked at him steadfastly, as Elisha looked upon Hazael, "until he was ashamed," and told him he should himself lay the axe to the root of what he afterwards termed the great tree of Protestant ascendancy, he would probably like the Syrian, whom he so little resembled, except in this respect, have utterly denied that it could so happen. Neither by him nor by any one else might it have been foreseen that this generation would be called on to deal with a question which it was supposed would occupy attention, and be made the subject of debate in the parliament, of two or three generations to come. During the year in which the letter we have quoted from was written, there was a debate on the motion of Mr. Maguire, which showed how unprepared public men were then to grapple with the question. Sir George Grey said, that the Irish Church Establishment could not be overthrown without causing a revolution in the country. Mr. Gladstone was more guarded in his language, but treated the subject with coldness and reserve; hinting that the tithe rent charge would remain with the landlords, if no longer paid to the clergy. Even if the country had been prepared, as it afterwards was by Fenianism, for some violent measure, the great question of Parliamentary Reform filled the entire political field, and made the introduction upon it of another subject equally vast, a complete impossibility. In the following year (1866), on the failure of Mr. Gladstone to carry his Reform bill, Lord Derby was called to power; and on the ground that it was better to let in a great mass of voters composed of all shades of opinion, rather than a single stratum known to be extremely democratic, he introduced the Household Suffrage Reform bill, which, by the unwilling co-operation of both parties, passed into law. The public mind having thus a great load removed, was prepared for a fresh burden. A Royal Commission was moved for, to inquire into the state of the Irish Church; but Lord Derby insisted that the inquiry should be of a friendly nature, as to how it could be rendered more effective, by the better disposal of its revenues. Could he have foreseen what would happen, and what he should live long enough to see, the Conservative leader would have consented to an unfettered inquiry; for having refused the impartial trial offered, the Establishment was afterwards condemned unheard, and dealt with more severely than a Commission would in all probability have recommended. Thus 1867 passed away, and in February 1868 Lord Derby withdrew from the ministry, and Mr. Disraeli became premier. Ireland then engrossed universal attention; Fenian alarms filled the air; the public looked to statesmen for some measure which should destroy Fenianism by removing its cause. Such a state of mind made it necessary for Mr. Disraeli to strike out an Irish policy, and inquiries were instituted as to what measures would be accepted by the Roman Catholic church. It was rumoured that its supreme head was in favour of an endowment for the priesthood; and other concessions were said to be in contemplation by the cabinet. Accordingly Lord Mayo, the able Irish minister of Mr. Disraeli's government, in a speech of considerable length, projected the shadow rather than the distinct reflection of an Irish policy.

Parliament was made to see a dim outline of a land scheme, an education scheme, and a church scheme. The latter was supposed to be based on the plan of "levelling up"—that is, instead of pulling down

the Irish church, raising other religious denominations to a position of equality. Scarcely had this shadow appeared, when a furious rush was made upon it from all sides of the house. The Irish nationalists resented the idea of the government buying over their church; the church resented the obvious intention with which it was to be bought—of making it the tool of England; or, what was still more likely, destroying its influence. The English radicals were furious at the suggestion of taking a step back from the advance they had made towards voluntaryism,—a step, moreover, that would make any further progress impossible until it should have been itself retraced. Having once endowed the Church of Rome, it would be impossible for a Protestant country, without an appearance of persecution, to disendow it again. Thus its endowment would have proved an impregnable defence to the Anglican Church. The Whigs or intellectual liberals, and the similar element on the conservative side, would have been in favour of this policy; but the whole stupidity of the country was opposed to it, and the stupidity of England is omnipotent whenever it happens to be unanimous. Even the Irish Roman Catholic members, contrary to their convictions, were bound to be faithful to their alliance with the radicals, and to refuse to accept the bribe that was held out. Hence the furious rush made upon the shadow of general endowment, which the assailants tried to insist was a reality, and Lord Mayo had considerable difficulty in proving was only a shadow. But of what the shadow, if not of indiscriminate endowment? This was easily explained; it portended a measure which should place the Roman Catholic chaplains of jails and workhouses on a better footing; but nothing more was heard of this, as it was found on inquiry that they were most liberally dealt with in such institutions. We cannot indeed doubt that Mr. Disraeli's idea was to make a late fulfilment of Mr. Pitt's broken pledge; and though the amount of money that would have been required to carry out that scheme would have been immense, it would not have been more (probably less) than what is contributed by different religious denominations to maintain their various forms of public worship. But a partial application of the equalising principle would have been worse than none. To touch an injustice and leave half of it, is to reaffirm what is left and inflict a new wrong. It is impossible to say now whether the ministry would have gone the whole length in this course of high policy, or would have come forward with only "part of the price." A concession was intended to the objection of the Roman Catholic bishops to the youth of their persuasion being obliged, in order to obtaining degrees, to pass through Protestant or secular colleges. Considerable ground being thus given on three questions, the educational, the religious, and that connected with the land, the liberal party had to consider on which of the three it would fight the forthcoming election. It was of vital importance to the opposition to introduce some great question, which should have the effect of clearing opinion in the new body of electors. It was certain that rank and wealth would have more chance of influencing the new than the old constituency, and hence the need of a distinct political issue, which would make it impossible for any man to deceive himself, or to be driven and tossed by the wind of local opinion. Parties were disorganized and mixed—it was there-



fore expedient to select that question which held out most prospect of uniting the liberal party and restoring habits of discipline. To have introduced a land bill, going further than Lord Mayo's, would have made a hopeless disruption in the party; and probably in the great election approaching, would have forfeited the support of the Whigs. Success was needed to rouse the drooping spirits of the majority, and restore its confidence in its leaders;—failure would have been the inevitable result of a radical land bill. Nor was the university education question more to the purpose, as, besides being too trivial and indistinct, liberal officialism was not supposed to be agreed on this subject with unofficial liberalism. Hence the overthrow of the church was chosen as the object to set before the country, in the proceedings of the expiring parliament. It was possible that previous to the election the Conservatives might be induced by a signal defeat to give up to their opponents the vantage ground of office; the more so as an appeal to the old constituency was not to be thought of. It was on the 23d of March 1868, that Mr. Gladstone gave notice of his intention to move the following resolutions: 1st, that in the opinion of this House it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property; 2dly, that, subject to the foregoing considerations, it is expedient to prevent the creation of new personal interests by the exercise of any public patronage, and to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity, or involving individual rights, pending the final decision of parliament; and, 3dly, that with a view to the purposes aforesaid, her Majesty be graciously pleased to place at the disposal of parliament her interest in the temporalities of the archbishoprics and bishoprics, and other ecclesiastical dignities and benefices in Ireland and in the custodies thereof. The debate commenced on the 30th, and Lord Stanley moved as an amendment, "that this House, while admitting that considerable modification in the temporalities of the United Church in Ireland may, after impending inquiry" (an allusion to the Church Commission), "appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of the new parliament." This amendment was denounced by Lord Cranbourne as treacherous, and certainly was cooler than pleased a majority of the Conservative party. A direct and emphatic No would have been preferred by the supporters of the ministry, and in our opinion would have been more judicious, and have had an effect on the country favourable to the Conservative policy. The amendment sounded heartless—as if the cause was already lost—and the only object had been to gain time, perhaps for some anticipatory measure. So it sounded to the country; while it produced blank dismay amongst Irish churchmen. Mr. Gathorne Hardy, by a vigorous speech, in which he denounced the resolutions as an attack upon the rights of property, somewhat revived the spirits of his party. The Premier, alluding to the member for Calne's announcement of the hour and the man, said that the clock was wrong, and the man was not 'fit.' He compared Mr. Gladstone, with his sudden onslaught on the Church, to a thief in the night,

and expressed belief in a combination between the High Church Ritualists and the Irish followers of the Pope, to overthrow the Constitution of England, and lay hands upon the Crown itself. Mr. Gladstone, in reply, ascribed this statement to an over-heated imagination. A rather passionate debate terminated in a majority against the Government of 61, in a house of 601 members; and the discussion in Committee, which lasted eleven nights, ended in a still more decisive division, 330 to 265—giving the Opposition a majority of 65. On the 4th of May, in consequence of these divisions, Lord Malmesbury and Mr. Disraeli made the following ministerial explanation—That not feeling they could with honour accept the recent decision, they had tendered their resignations. That the Queen had expressed her willingness to dissolve, but Mr. Disraeli thought it would be better to make the appeal to the new constituencies in the autumn of that year (1868), and with this view the work of preparing the electoral lists would be carried on with the utmost speed. If, therefore, the House would enable the Ministry to carry on business, the appeal, to which they had a fair claim before admitting themselves really defeated, would not be made until the natural death of the old parliament.

This explanation was not altogether satisfactory to the victorious party, who found their victory barren of immediate results, though not of the great result aimed at by the leaders, which was to engage the public mind with the subject before the election came on. It was putting before the country, while conceiving a new parliament, the image of what the liberals desired it should bring forth. But not only did it not restore them to the right of the Speaker's chair, but the defeat was so used by the defeated leader as to preclude his opponents from attaining that position for the remainder of the session, in spite of their possession of a re-united majority. It was only a defeat upon so great and so new a question that could have given Mr. Disraeli the right to hold a dissolution over the head of a parliament within a few months of its expiring; whereas, without such a defeat, inability to carry on the government must have compelled him to resign. It was a perfectly fair and very clever use of a great overthrow. On one side, the object was gained of having during the general election the advantage of being in office; on the other, that of making a tremendous impression on the public mind. The second and third resolutions were carried without a division; and, with the exception of a rough passage of arms between Mr. Disraeli and Mr. Bright, which arose out of some difference in the liberal party with regard to the Maynooth grant, no other incident occurred. In accordance with the third resolution, an address was presented to the Queen; to which Her Majesty replied, that her interest in the temporalities of the Irish Church should not stand in the way of Parliament in the consideration of a measure. On the 14th, Mr. Gladstone brought in a Bill to suspend the exercise of public patronage, which went easily through all its stages in the House of Commons, and was carried to the Lords, on the 25th of June, by Earl Granville. The Peers threw out the bill, after a debate which lasted for three nights, the majority against it being 95, in a house of 289. The reasons for its rejection were decisive, although they did not at all touch the question of the propriety of its introduction. The old parliament

could not claim to represent the new constituencies which had not as yet pronounced a decision on the question that would have been prejudged by the adoption of the bill. As Mr. Disraeli said, the existing House of Commons was scarcely competent to pass such a measure, having, in fact, abdicated power, and only performing the functions of its office until a successor could be called together in its room. The Lords were the only permanent part of the legislature; and standing between the old constituencies and the new, were bound to reserve judgment for the latter. Then ensued some months of furious controversy—some months of civil war, in which the knights fought in modern fashion, with pens instead of lances, and expended ink instead of blood, and the results of the war were quite as decisive. The clergy of England made one cause with their brethren in Ireland, and it was common to hear Mr. Gladstone compared, from the pulpit, to Judas Iscariot, Pontius Pilate, and the robber Barabbas. But towards the close of the year the great election campaign commenced in earnest. As Mr. Bright said at Edinburgh, "There is a great battle going on at this moment, and, without exaggeration, one may say that it is a battle 'with confused noise,' though it is not a battle like that which the prophet described, 'with garments rolled in blood.' There is a confused noise throughout the country from John O'Groat's to Land's End; all over Great Britain and Ireland men are discussing great questions." On the 19th of November, Mr. Gladstone was able to say to the constituents at the South Lancashire nomination, "The battle of this election is already fought and won. I ask you, therefore, gentlemen, not to separate yourselves from the body of the nation; you are part of England; you are great, but England is greater. With England Scotland joins, and with Scotland Ireland." True, the Conservatives carried all Lancashire, and Mr. Gladstone was driven to take refuge at Greenwich; they won in some great constituencies where they never before would have had a chance, even in Westminster itself; they were on the whole successful in the counties; but, on the other hand, the Liberals stormed several Conservative strongholds, such as Dublin, Belfast, and Londonderry; were triumphant in many small, hitherto Tory burghs; were great gainers in Wales, and completely victorious in Scotland. The ultimate result was a majority of over 120 in favour of Mr. Gladstone; and, as soon as it became clear that the elections would so terminate, the Conservative Government resigned. On the 2d of December Mr. Disraeli addressed a statement to the London newspapers, as parliament was not sitting. After noting the favourable decisions of vast constituencies, he acknowledged that it was obvious the Government would not command the confidence of the new parliament, and announced that accordingly they considered it their duty to resign office. Mr. Gladstone was called upon by Her Majesty to form a ministry; and the new Cabinet, which included Messrs. Bright and Lowe, was soon installed in office. One of its first acts was to refuse the prayer of the Irish bishops that the convocation of the provinces of Armagh and Dublin might be permitted to assemble. It was probably considered inexpedient to give the menaced Church an opportunity of uttering useless protests similar to that which shortly after issued from the English convocation in the shape of an address to the Crown. The householder

parliament met on the 16th of February, and on the 1st of March Mr. Gladstone made the statement of which he had given notice on the first day of the session. The Government proposed to vest the whole property of the Irish Church in a Commission, consisting of three members, appointed for ten years, to wind up its affairs. The date of disestablishment was to be the 1st of January (1871), after which no Archbishop or Bishop of the disestablished church should sit in the House of Lords. The first trust of the Commission was to be the paying of life incomes to the bishops and clergy so long as they discharged the duties of their offices. Power was to be given to the recipients to commute this life income for a fixed sum, which should be handed over to such church body as might be formed, charged with the same trust, but with power to re-arrange duties and economise resources. The Church was to be left all private endowments since 1660; and the fabrics of the churches as being unmarketable, and the glebe houses after the payment of building charges and provided there was an undertaking to keep them in repair, were to be handed over to the new corporation. With regard to the Presbyterian Church, the occupants of professorships endowed by parliament, and ministers receiving the Regium Donum, were also to have the power to commute their life incomes, and the General Assembly and the trustees of Maynooth to have fourteen times the sum annually voted in discharge of their claims. The tithe rent charge was to be sold to the landlords at  $22\frac{1}{2}$  years' purchase, and the sum vested in the Church Commission. The surplus, after paying all claims, was to be devoted to maintaining pauper lunatic asylums, idiot asylums, infirmaries and hospitals for the poor, previously maintained by county cess. It was calculated that the commuted tithe rent charge would produce £9,000,000; lands and perpetuity rents, £6,200,000; money, £750,000: making a total of £15,950,000. The charges on this were estimated as follows:—

Commuted life-interest of bishops and incumbents,	£4,900,000
Compensation to curates,	800,000
Lay compensation,	900,000
Private endowments to be repaid,	500,000
Building charges,	250,000
Presbyterians and Maynooth (in the proportions of two-thirds and one-third),	1,100,000
College Expenses of Presbyterians and Catholics,	35,000
Expense of Commission,	200,000
Making a Total of	£8,685,000

Thus leaving about £7,500,000 for Irish national purposes,—the annual interest on which surplus would be £311,000. Mr. Gladstone compared the dread with which the prospect of disestablishment and disendowment was regarded by many to that inspired by Edgar in his uncle Gloucester, whom he persuaded that he had fallen over the cliffs of Dover.—

“Ten masts on each make not the altitude  
Which thou has perpendicularly fell:  
Thy life's a miracle;”

but the old man soon discovers that it is a delusion, and that he has not fallen at all.



Mr. Disraeli followed, and declared that his party would resist the measure to the utmost of their ability,—looking on disestablishment as a grave political error, and disendowment as sheer confiscation. On the second reading (March 18), he made a most ingenious and able speech, which, for the moment, produced a decided impression on the country. He charged the Government with bribing the landowners to assist it in overthrowing their own church. One discontented priesthood had wrought evil enough in Ireland; by this bill there would be three instead of one smarting under ill-treatment. A middle class was wanting: this bill would destroy it; residents were needed: this would drive them away; the curse of Ireland was poverty: and this confiscated property. The Irish had suffered from repeated forfeitures: this was forfeiture without a pretext—the old policy of tyranny and oppression in the darkest ages. He complained of the suddenness of the bill, its anomalies, the hardships it would inflict; and declared that its precedent would lead to a revolution in England, and the overthrow of the English Church. On the Liberal side, only the leaders spoke; it was considered unnecessary to discuss an issue on which the country had so emphatically pronounced its will,—though it was denied by the Conservatives that so harsh a measure would ever have received its sanction. Mr. Bright made a memorable speech, and the debate was concluded by Mr. Gladstone. “As that clock’s hand,” he said, “moves rapidly towards the dawn, so are rapidly flowing out the years, the months, the days that remain to the existence of the Irish Established Church.” The second reading was carried by a majority of 118,—the numbers being 368 to 250. Meanwhile, a conference of the Irish Church was being held in Dublin, at which it was resolved to offer the bill an uncompromising opposition. But such opposition was of no avail; it passed through committee with little alteration. Mr. Disraeli proposed a series of amendments; the first of which was for the omission of the disestablishing clause, leaving the church under the jurisdiction of the Ecclesiastical Courts and the supremacy of the Crown, in which official appointments would still be vested, on the plea that this was necessary to maintaining true ecclesiastical union with the English Church, and true ecclesiastical equality with the Roman. The Irish Roman Catholic Church had a buttress in Rome which the Protestant Church should find in England. This amendment was rejected by 123 votes. The amendments upon the disendowment scheme, Mr. Gladstone said, in the debate on the third reading, would have left the Irish Church like the patriarch Job, richer at the end than at the beginning. The smallest ministerial majority was 98, against Sir Roundel Palmer’s amendment, to give separate compensation to permanent curates; and on the third reading the majority was 114.

So far the Irish Church Bill had had a prosperous existence; but now it passed into the hands of a hostile assembly, in which even the Whig Peers were averse to it; an assembly in which nearly all were sound Churchmen, and, as the possessors of privileges and titles and immense landed property, bitterly opposed to revolutionary change; in which the bishops themselves formed a powerful and brilliant group. A council of war was held at the Duke of Marlborough’s, where it was resolved by the Conservative Peers to throw out the bill on the second

reading, and the Earl of Harrowby was chosen to move its rejection. Lords Salisbury, Carnarvon, and Stanhope, however, dissented from this extreme course; and by their speeches in the debate which ensued on Lord Harrowby's motion, assisted by the wise and powerful speeches of the Archbishop of Canterbury and Bishop Thirlwall, saved the bill from being summarily rejected. On the other side, in favour of its rejection, the Bishop of Peterborough made a speech, of which Lord Derby said that it had never in his experience been excelled, and rarely equalled. The debate will also be remembered for the touching peroration of Lord Derby's own speech—almost his last words in the House—"My official life is ended; my political life is nearly over; the term of my natural life is approaching; it is therefore with a full sense of my responsibility that I oppose this bill." Throughout the debate the uppermost opinion was that in favour of concurrent endowment—a scheme which Lord Russell had strongly advocated in a series of letters addressed to Mr. Chichester Fortescue (1868–9). The morning's sun was shining when the Lords divided, after three nights of debate; and not, as in the House of Commons, where, on any matter of a party nature, the division-list might be made out with tolerable accuracy beforehand, it was completely in doubt whether the bill would be summarily thrown back into the face of the country, or whether the opinion which Lord Salisbury had expressed and Lord Granville had cheered, that the Government would accept considerable amendment, would prevail with the House to make it give the measure a further consideration. The result was a majority of 33 in favour of the bill, the numbers being 179 to 146. Then came a long series of amendments. The Archbishop of Canterbury moved that the date of disestablishment should be January 1, 1872; Lord Clancarty, that the bishops should retain their seats for life; the Bishop of Peterborough, that annuities should be freed from the tax to the Ecclesiastical Commissioners, effecting a saving of £19,000 to the Church; Lord Salisbury, that curates' salaries should not be deducted from life-interests; Lord Carnarvon, that life-interests should, as in the case of Maynooth, be valued at fourteen years' purchase. These amendments were all carried by large majorities. With respect to glebes and glebe-houses, a compromise was proposed whereby the Church was to retain them in consideration of the Presbyterian ministers and Roman Catholic priests being provided with houses and ten acres of land each. This amendment was unfortunately divided into two parts,—the first part, that the glebes should be retained, being carried: the second part, proposed by the Duke of Cleveland, that the other two churches should be raised to an equality in this respect, being rejected by a coalition of extremes against moderates, most of the English bishops voting with the minority. When the question came on as to the date from which private endowments should belong to the Church, the Government offered, as a compromise, a sum of £500,000 in lieu of all; but this offer was not, owing to its suddenness, at once accepted; and the Bishop of Derry having carried an amendment that the Ulster glebes should be retained by the Church, it was withdrawn by the ministerial leader. Lord Cairns, who had been the author of a great number of amendments of wording and detail, carried, by a large majority, a motion to

delay the disposal of the surplus *sine die*. The bill passed a third reading on the 12th of July; and before it was returned to the Commons, the Lords reversed two of their previous decisions, deciding that the Irish Bishops should not retain their seats, and introducing, by a majority of 7, equality with respect to glebes. Thus amended, the bill went down; but from the moment that concurrent endowment was carried, the amendments of the Upper House were doomed, the support of the country was entirely forfeited, and there was no longer a case with which the Conservative party could dare to face the constituencies. The wise and moderate men in the House of Lords, who thus recorded their opinion in favour of concurrent endowment, thought too much of the justice and generosity and wisdom of such a policy, and too little of the prejudices of the nation. Those who had not merely to legislate, but to govern, knew better than to compromise themselves by supporting such an unpopular proposal; and Lord Cairns and Mr. Disraeli on the one side, and Lord Granville and Mr. Gladstone on the other, were equally opposed to it. It was the concurrent-endowment amendment that made Mr. Gladstone absolute master of the position; on the 15th of July he proposed that the Commons should disagree to all the amendments of the slightest importance proposed by the Lords,—only on three points making trifling concessions, viz., renewing the offer of £500,000 in lieu of all private endowments, to many of which it would have been impracticable or enormously costly for the church to establish her claim; a slight change with regard to the deduction of curates' salaries, which, Lord Cairns said, made the bill worse than before; and an addition of 7 per cent. to the amount of commutation originally proposed, clergymen's lives being, on an average, 7 per cent. better than other people's. The words in the preamble declaring that the surplus should be devoted to no religious purposes, which had been struck out by the House of Lords, were again inserted; and Mr. Bright having been charged by Dr. Ball with the parentage of the scheme of concurrent endowment, which those words had been struck out to admit, allowed that it was the fruit of a youthful imprudence, but would not support his child, because it was in such bad repute with the country. "We hear by every post," he said, "that the Protestants of Ireland would rather go out naked on the hill-side than hand over any portion of the funds of the Irish Church to the Roman Catholics. If I were in favour of religious endowment, I should be ashamed of such a sentiment." Mr. Gladstone, he said, had greater power than any prime minister of whom he had known anything; but his "power and influence would break and shiver like a broken glass if he were to propose to endow the Roman Catholic Church." As Sir Roundell Palmer said, by this admission he tore the mask from the face of those who cry, "justice to Ireland," but whom nothing would induce to do justice as the Irish would most like it to be done, by conciliating their church.

The bill, thus re-amended and restored, was sent back to the House of Lords, where the wholesale rejection of their proposals excited great indignation. The wording of the preamble came before the House in the first instance, and Lord Granville in vain asked that the two issues which it involved should be taken separately,—1st, whether the dis-

posal of the surplus should be retained in the hands of Parliament; 2dly, whether it should be declared that it was not to be applied to religious purposes. The result of the division was a majority of 78 against the retention of the words as to religious uses. Lord Granville considered that this vote, or, rather, the temper which it manifested in the Peers to insist on their amendments, made it necessary for the Government to consider their position, and accordingly, for this purpose, moved the adjournment of the debate. By adopting such a course, he gave an opportunity to the Peers also, ere they had irrevocably committed themselves, to think better of the course upon which they were entering, and possibly see the wisdom of resting satisfied with the vindication of their independence in the vote on the preamble. A most excellent effect was produced by the adjournment. It was generally said and believed that Government would withdraw the bill, and bring it in again in an autumn session, after a tremendous popular agitation,—a prospect so unpleasant to the Peers, that a strong desire for some honourable way out of the situation in which they were placed completely superseded the indignation with which they had at first received the rejection of their amendments. On the resumption of the debate, Lord Granville informed the House that the Government would not assume the responsibility of withdrawing the bill; and it was then that Lord Cairns rose and explained that, without consultation with the other leaders, for which there was no time, he had taken upon himself, as leader of the Opposition, to arrange the terms of a compromise, which he proceeded to explain to their lordships. The date of disestablishment was to be January 1, 1871; the deduction for curates was only to be made when such deduction had already been made from the ecclesiastical tax for five years previously; diocesan commutation was to be decided by the votes of three-fourths instead of four-fifths; and there was to be an addition of 12 instead of 7 per cent. to the tabulated life-interests; glebe-houses and lands might be excepted from the commutation during the life of incumbents; the preamble was to remain as their Lordships' vote left it, but the 68th clause was to provide that the surplus should be applied to the relief of unavoidable calamity (not, however, to impair the obligations attached to property under the Acts for the relief of the poor), and that it should be distributed as Parliament might hereafter direct. This compromise, which it was supposed had been made on the suggestion of Mr. Disraeli, was accepted by all parties as a happy termination of the controversy, and, on the 23d of June, the Lords' amendments were agreed to by the Commons.

Many of the objections to this great measure have in its operation proved to be groundless; but not for a generation or two will it be seen whether its effects are entirely beneficial. Beyond all question, it was a measure of confiscation. It would have been different if, in a Protestant country, the Protestant Church had been stripped of its possessions; because then the funds, though differently employed, would not have been diverted from the original owners, viz., the Protestant population. But here the property of 700,000 Protestants was turned to the use of the *whole* population, which was Roman Catholic in the proportion of 5 to 1; so that henceforth the original owners had only one-fifth of their own property. If they had been given the whole



value of it—say, £16,000,000—in ready money, it would have amounted to £23 a-piece; and they could not invest it better than by returning it to its first use,—by doing which there would continue to be a number of respectable posts for their children to fill, and they would never more have to contribute to the support of priest or minister.

The Irish Church Act 1869 (32 & 33 Vic. cap. 42), took its place on the 26th of July, for better or for worse, upon the statute book of England. English and Scotch readers are not in a position to understand how extremely bitter it proved to Irish Protestants. This bitterness was not occasioned by the pecuniary loss which it entailed, nor by the anticipation of being deprived, in many parts of the country, of the ministrations of the clergy; but chiefly by the humiliation and defeat to themselves which the measure involved. It was a revolution in which the weak had conquered the strong—in which the conquered had not been permitted to defend their rights, and the gall and bitterness had not, as in violent revolutions, been borne away on the blood shed. The defeated party refused all comfort: the promise that their church would do ten times the work it had done hitherto—would have no dead and rotting branches, but in every part be sound and healthy, and the envy of English Churchmen, was regarded as no consolation whatever. The assurance that its voluntary resources would surpass those revenues of which it had been deprived, and that the contribution of them would bind the contributors to the institution they themselves supported faster than they had ever been bound to a church depending on the state for its support, was angrily rejected, as if it had been an additional insult. It was the bitter and insupportable wrong and humiliation put upon them by the intent with which the measure was carried, and not the misfortune of their church that afflicted the Protestant laity. It is impossible, unless we belong to the victorious side, not to sympathise with the defeated minority; who, if they had before occupied a false position, had been put into it by their English brethren, who did so for their own ends; and for their own ends tore them down from it, with a suddenness and violence unparalleled in history. Never was the Protestantism of England and Scotland so strong, never was there a more intolerant hatred of the Church of Rome (not of that church's doctrines and ceremonies, but of herself), than was then prevalent; never had the Protestant clergy of Ireland been half so energetic and efficient. Mr. Miall and the Liberation Society, Sir John Gray and the "Freeman's Journal," could only raise wind enough to fill the sails of the Irish Church and make it glide upon its way more prosperously, and more successfully fulfil its mission. The people of Ireland, wholly taken up with the land question, could not be roused on the subject of the Church. All was fair sailing, when, suddenly, the leaders of the Liberal party saw that Fenianism had put into their power to overthrow the Irish Establishment, and, by so doing, as they believed, afford great satisfaction to the Irish people, and assure them of the redress of their grievances. Accordingly the sentence went forth; and before the Protestants of Ireland could believe or realize what was being done, the task was actually accomplished; and their church was disestablished and disendowed, not to carry out the principles of the Liberation Society, but expressly with the intent of taking

the Protestants down from their ascendant position. It was the intent with which the measure was carried out, rather than the measure itself, that so bitterly rankled in their breasts. If Mr. Miall had been the hero of the fight—if the issue had been between the principle of voluntarism and the principle of establishment, and the Churches of England and Scotland were equally involved, it is not beyond belief that the measure actually carried would have been supported by some, and but faintly resisted by many, of the Irish Protestant laity. But the victor was not Mr. Miall; the Liberation Society and its principles were purposely kept in the background, in order that the Church of England might not be unnecessarily alarmed, and that the graciousness of the boon to the Church of Rome might not be diminished;—the undoubted conqueror was Cardinal Cullen, and the victorious party the Roman Catholics of Ireland. The virtue of the measure was openly made to consist in the triumph of the Roman Catholics over the Protestants; and it was this that very naturally caused among the latter an intense resentment. After seeing the rise and progress of the measure in England, the passage and defeat of the suspensory bill, the stormy election of 1868, the introduction of the measure, the rapid fighting of it through the Commons, and the great deliberations in the House of Lords; the angry and dangerous interval, and the peaceful termination to the dispute, and the royal assent, which the very introduction of the measure involved as a foregone conclusion should it pass, we happened, at the very moment of the completion of the parliamentary struggle, to cross over to Ireland, out of the calm atmosphere of England; and were strongly impressed with the reality of those incensed feelings and violent passions which from a distance we had regarded as assumed. Such feelings, however, subside in the course of a few years,—the anger of the vanquished, the triumph of the victor; the measure remains, with its bare practical effect, whatever that may be. And no doubt, as Mr. Gladstone said in his last eloquent speech on the subject, those who have indulged in the gloomiest predictions will now do their utmost that those predictions may not be fulfilled.

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#### CHAPTER XIV.

##### RECONSTRUCTION OF THE EPISCOPAL CHURCH IN IRELAND.

Defence Conference.—Jealousy of Bishops and Clergy.—General Synod of Dublin.—Diocesan Synod.—Archbishop withdraws.—Reconciliation.—Draft of Constitution.—Effort to Overthrow Episcopacy.

On the passing of the Irish Church Bill, which for five months occupied and overshadowed parliament, the disestablished church set to work to reconstitute itself with much energy. It was proposed to call together the conference which had been elected for the political purpose of opposing the passage of Mr Gladstone's measure, to initiate the work of reconstruction. This, which was urged by the Protestant De-

fence Association, and was probably the wish of the greater proportion of the laity, was opposed by the clergy, who felt how very unfit so rough and ready a body would be to meddle with such a delicate task. The whole process of reconstruction was marked by a decided jealousy between the clergy and laity; the most prominent representative of the feeling among the latter being Lord James Butler, who early took his stand upon the theory that the clergy were only the handsomely paid servants of the laity, who were entitled to treat them as subordinates, and give them little, if any, share in the deliberations. Jealousy of the bishops was constantly displayed in efforts to limit their power and deprive them of their weight as a separate order; while on the other hand the bishops and clergy were determined to maintain the position they already held in the Catholic Church, not from any real difference between their views of their own status and Lord James Butler's, nor from any sacerdotal theory, but from professional feeling. Fortunately, however, the bill had given the church a groove to run in, and the extreme low church party were not able to have it all their own way: as in that case there would probably have resulted an internal schism infinitely more lamentable than outward separation from the State. The archbishops and bishops held a meeting in Dublin, at which it was determined to summon a general synod, in which the clergy and laity should be fully and equally represented. At the same time it was announced to the very great discontent of many, that it had been determined not to re-assemble the conference which had purposely been composed of the most violently explosive materials. The general synod of the Irish Church, resulting from the union of the provincial synods of Armagh and Leinster, met in St. Patrick's Cathedral, Dublin, in September 1869. Beginning with a protest against the late bill, the synod lost no time in proceeding to more practical matters. The opinion of the laity as to the constitution of the church body, was expressed by a lay conference which met on its own authority, and declared itself in favour of the laity being to the clergy as two to one, and the qualification for electors and delegates being simply a declaration of their being members of the church, even though not communicants, or even in accord with it in doctrines. Indeed, one of the first results of the unshackling of the church was to show how great was the dislike to the distinctive church teaching of the prayer-book, how completely the laity had drifted away from their religious moorings,—a fact which was apparently accounted for by the theory that these moorings had drifted away from them, and must be brought back to the position at present occupied by the bulk of the professing members of the church. The movement for the revision of the prayer-book gained considerable strength, and formed the first object of the low church party in the synod; to put the laity above the clergy, and to lessen the power of the prelates being the second object they aimed at accomplishing. The questions of voting by orders and of the proportion of lay to clerical representation were the first disputed points to be settled. The Archbishop of Dublin, in his charge immediately following the passing of the bill, noticed the connection of the questions. If the representation were equal, the right of separate voting would seldom be exercised;

but if the clergy were in a hopeless minority, the right would be perpetually resorted to, and would cause a widening divergence; and the primate of Ireland issued a mandate that the representation should be equal in the province of Armagh. When, however, the Dublin Diocesan Synod met at the end of November for the election of delegates to the church convention, to which was to be referred all questions connected with the future organisation of the church, an effort was made to discuss the question of lay representation, and firmly opposed by Archbishop Trench, who was at last, however, obliged to adjourn the meeting—expressing his intention of presiding no more, and advising the withdrawal of his clergy. The next meeting was held under the presidency of Master Brooke, when various resolutions were passed, putting forward the lay view of reconstruction, including the principle of the election of two lay delegates to one clerical. Fortunately, however, the minority of the synod did not persist in its attitude to the archbishop, who was warmly received at the next meeting. In January a committee of organisation, elected from the twelve bishoprics or archbishoprics of Ireland, each returning two clerical and two lay representatives, was held in Dublin, to prepare a draft of the future constitution of the church. The draft drawn up by this committee defined the composition of the general synod to be a house of bishops and a house of representatives, the latter consisting of 250 members, 100 clergy and 150 laymen, apportioned between the different dioceses, with but little reference to their relative church populations, and elected by all communicants above the age of twenty-one. Optional voting by orders was also recommended; and it was advised that no change should be made in the articles or prayer book, except by a bill carried by a vote of two-thirds of each order. The draft further recommended diocesan synods, presided over by the bishops, and a representative body to hold and administer church property, and to consist of the prelates and one lay and one clerical representative of each bishopric chosen by the general synod; the lay members each selecting a second lay member; and one third of this church body to retire every three years. The other sections of the draft related to the distribution of patronage, election of bishops, and discipline and finance. The convention began its meetings in February 1870. The first debate was raised on the separate vote of the prelates, to whom it would give the power as a council of twelve to strangle the will of all the rest of the church; and this power was opposed by the low church party who feared a fatal check on their contemplated alterations of doctrinal standards, as well as by a small portion of the high church section, including the able Dean of Down (Woodward.) The bishops, under the eloquent leadership of Bishop Alexander, made a firm defence of their power of veto; but so strong was the tide of opinion against it in a portion of the convention, that if put to the vote and carried in the teeth of the objectors, it was feared a decided split would be the result. The interposition of the Duke of Abercorn, who through all the discussions of the convention did most admirable service by moderating between parties, prevented the question being put to the meeting. He moved that any question carried by majorities of the orders should pass, unless seven of the twelve bishops (reduced to



eleven by the death of the Bishop of Kilmore) should concur in a dissentient vote. This amendment was agreed to. Generally speaking, the draft constitution was agreed to by the convention, and the fundamental differences which at one time had threatened to make a schism in the disestablished church, were, at all events, deferred.

One grey buttress of the Irish establishment remained, when the rest lay in ruins; and to take it down safely without waiting for it to fall, and crush those beneath it, was only wise. It was determined by the Board of Trinity College, Dublin, to assent to Mr Fawcett's bill for throwing open the university. The representatives of the university were instructed to support it, and when it was introduced by Professor Fawcett in March (1870) Mr Plunket, grandson of the first Lord Plunket, in a maiden speech of great eloquence, which drew a high compliment from the premier, who answered him with great vivacity and at considerable length, supported the abolition of tests, and showed that it was only the final step of a liberal policy that had long been in progress in the Dublin University. The Government, however, considered the question one which they were bound to take up themselves at a future time, meanwhile accepting as irrevocable the concession offered by the board.

## CHAPTER XV.

### THE LAND BILL.

Expectations Excited by Church Bill.—Increase of Agrarian Outrages.—Coercion Bill.—Fixity of Tenure.—Provisions of Land Bill.—How Received.—Aims.—Increased Activity of Ribbonism.—Delay of Government.—Committee.—Bill for Partial Suspension of Habeas Corpus.

IN Mr Gladstone's famous speeches in Lancashire, preceding the election of 1868, he made three promises to Ireland: one of these was now fulfilled. But the policy of applying the axe so thoroughly to the root of the Church before dealing with the land and education questions, was probably not the best if it had been possible to choose otherwise. The Church bill coming first aroused exorbitant expectations. It was impossible to deal with the other subjects so thoroughly; public opinion would not sanction it; but this was far from being recognised in Ireland; nothing less was expected than that the landlords would share the fate of the clerical hierarchy, and be disendowed and disestablished. But it was not remembered that it was a very different thing, the gentry being required to do this for their younger brothers who had entered the sacred ministry, and being asked to do it for themselves. The consequence of this want of perception was, that looking to nothing less than absolute fixity of tenure, the tenant farmers were less than ever inclined to permit an invasion on the part of the landlords of what they deemed equitable rights—rights on the point of being legalised. Hold on a few months; terrify the land-

lords into leaving things as they were for the present, and the law of the land would prevent, what now they were only anticipating the law in restraining.

In Tipperary, the tenantry on some estates showed an unusual unwillingness to pay rent, being under the belief that Mr Gladstone was going to relieve them altogether from the unpleasant necessity. All this was very unfortunate for the Government; it would probably have been much the same in any case; but the precedence of the church bill certainly made it worse. It discredited the policy of conciliation on which England was so bent, when Mr Gladstone was given a majority of more than a hundred to do what he pleased with; and it must have wounded and disappointed the minister. The increase in the number of agrarian outrages became most alarming. In deference to English public opinion, and the outcry of the Irish landlords who went in fear of their lives, the Government felt obliged to do something. The number of serious agrarian offences in 1847, from March to October, when famine drove the people wild, was 96 homicides, 126 cases of firing at the person, 116 of firing into dwellings. In the year 1852, when the consequences of that terrible ordeal began to develop the resistance which a people, passionately attached to the soil, made to being driven into exile, by half ruined, or still worse, by new and untried landlords, was only represented by 907 outrages. The battle was won however; the miserable people were driven across the Atlantic, and agrarian offences fell to a minimum in 1866 when there were only 6. The number of crimes connected with the tenure of land in the three following years was as follows—

1867, number of offences	123
1868,           "           "	170
1869,           "           "	767

This tremendous bound, not justified by any such events as the famine, the fever, and the Great Eviction, but at a time when Ireland was unusually prosperous and the people seldom or ever disturbed in their holdings, could certainly not be accounted for if we omitted the expectations aroused by the policy of the liberal Government; although it must be said that Fenianism had acted as a safety valve, and when it was got under, the same disease broke out again in its old form. Whatever might be the cause now, the Government could not refrain from acting; and in March, after the second reading of the land bill had been taken, a peace preservation act was introduced, which was pronounced satisfactory by the opposition, and received with far more genuine favour by both sides of the house than any previous measure of redress. This bill gave the Government power to regulate the possession of arms and gunpowder, and to control persons going about at night; it gave compensation to those on whom outrages had been committed, or in some cases to their relatives; it increased the power of obtaining evidence, and gave the magistrates power to deal summarily with the smaller cases, while the Lord-Lieutenant was authorised to punish offences of the press in Ireland by seizing the plant and all copies of an offending newspaper. The seditious journals were indeed to a great degree to blame for all the self-inflicted sorrows of Ireland, and a stringent law against

them was greatly needed for the public good ; and this coercion bill, if it had no other result, had an excellent effect in taming down the agitators who counselled rebellion and assassination from the safety of their office stools, because it sold their papers. Meanwhile, in February the land bill had been introduced, and fell indeed sadly short of that fixity of tenure which had been for some months the universal cry of the poorer classes in Ireland. What was meant by fixity of tenure was the possession of the land for ever by the tenant in actual occupation at a fixed rent. The landlord was thus to lose all his power over the tenant, who so long as he paid the rent, ever diminishing as the value of money grew less, could not be evicted from his holding. This and nothing else would satisfy the people or their clergy (who wished their own power alone to remain unimpaired) ; but this was what could never be gained from a parliament of landlords. Hence, when Mr Gladstone explained the Government scheme, the disappointment felt in Ireland was bitter, and caused a violent reaction in the minds of the lower classes, while a mountain of anxiety was lifted from the breasts of the landlords. The verdict of the English press, including the most conservative newspapers, was unanimous in its favour, as a moderate bill, while the national papers in Ireland denounced it as a gigantic piece of tinkering. The aim with which the bill was framed was not to introduce new laws or customs, but to give the force of law to those actually in existence ; and in doing this, to give as little shock as possible to the rights and interests of the different classes affected. The most important provisions of the bill were the legalisation of the Ulster tenant right ; the principle of allowing the tenant a certain number of years' rent, the compensation decreasing in the inverse ratio of the holding. Compensation for improvements made within twenty years, such as would add to the letting value of the farm, the onus of disproof resting with the landlord. The assistant barristers sitting in quarter sessions were to act as arbitrators, an appeal being allowed in certain cases to two judges in Dublin. There were also in the bill, as originally proposed, an admirable provision, allowing farmers, with or without the consent of the landlord, to give a plot of land to their labourers for house and garden, and an application of Mr Bright's plan of enabling the occupants to buy out their farms by loans of public money, the same facility being offered landlords of reclaiming waste lands : these portions of the bill however were abandoned. By giving their tenants leases of sufficient length to exhaust their own improvements, landlords were relieved from the compensation clauses, and, on the whole, they could not have expected to get so well, and with so little loss of their powers and prerogatives, out of Mr Gladstone's hands. The measure passed through the two houses without much difficulty, the debates being left very much to the Irish members, and before the summer was half over it was sent to Ireland to work its good mission, to be as a shield thrown over the weak, to guard them from an oppression which we believe was very rarely exercised, but generally dreaded. The iron rod with which they have been ruled for centuries, has deprived the Irish peasantry of moral courage, and given them a cringing manner to their superiors, which often conceals the wrath beneath. An Irish

agent in the habit of speaking to the farmers more like dogs than men, though just and upright in his dealings with them, has declared to us that the people liked it. They appeared to do so; they licked the rod. A farmer one day observed of this same agent that ten waggons could not carry all the curses on his head. The Land Bill, by making the tenantry secure against real oppression, will gradually remove the hereditary terror of it, and cure them of that hypocrisy which it was once so necessary to practise, and which should remind Englishmen, who are apt to criticise it harshly, of their own tyrannical dominion in the past centuries.

It might now be supposed that Ireland would have become more tranquil, and that the exaggerated expectations of the people being dispelled, and all that justice demanded conceded, there would have been a great decrease of agrarian outrages, but this unfortunately was not the case. The Ribbon Society was more active than ever. Its success in reforming the land laws induced it to turn its attention to other matters. A master could not discharge one of his labourers, or even severely scold a servant, without being in danger of a bullet. To make a scarcity of eggs in a district by buying them up for the English market might cost the egg-merchant his life. To the Ribbonman the passing of the Land Bill was only a mark of cowardice, which in no way satisfied his aspirations, while it emboldened him to go on terrifying and shooting with redoubled vigour. The Coercion Bill which had been pronounced so very satisfactory was utterly ineffectual. As the Spring of 1871 advanced, a terrible catalogue of crimes, not the acts of criminal individuals, but the product of a system, and carried out by an extensive association with which the whole midland population was in complicity, excited so much wrath in England that the Government was obliged to seek for some stronger remedy. The disestablishment of the Irish Church had been followed by an act which took away its grace; must the Government again counteract its own policy? Feeling that very soon the people of Ireland would discover that their real grievances were removed by the Land Bill, and that if there were only time for it to operate, the murderer's profession (for like the hangman's, it had become quite a profession in Ireland) would at last be completely gone; the ministry tried to withstand the cry for hard measures, without daring to oppose it openly. Perhaps combined with a wish to gain time, there was a desire on the part of ministers to spare their own popularity in Ireland, not for popularity's sake, nor for party objects, but the better to be able to carry out the pacification of the country, by preserving its confidence. For this reason they would have preferred to let a few assassinations more be committed, and go unpunished, rather than frustrate a great policy. But if anything was to be done, it was better that parliament should bear the blame, because there is an impersonality about parliament on which hatred cannot be concentrated as it can upon the individuals of a ministry. A parliamentary committee was therefore proposed to receive evidence in secret which could not be obtained openly, and to devise and suggest a remedy. Parliament however was clearly adverse to having the functions of Government thrust upon it; the opposition desiring to force the Government into making itself unpopular, to dis-



credit and stamp folly on its own policy by having to follow each measure of conciliation by a measure of unusual rigour, to pass a Coercion Bill on the disestablishment of the Church, and a suspension of *Habeas Corpus* on the tenure of Land Bill, accused them of abdication their function while holding their places. The press scolded and lectured the ministry for not acting at once, and imploring guidance instead of leading. Notwithstanding the general disapproval of the country the committee was appointed in the end. It was not to propose legislation, but to discharge the function of a grand jury, and say if a *prima facie* case had been out for the action of government. Accordingly the secrets already known to officials were revealed to the Westmeath committee, as it was designated; and a report was furnished to parliament which stated the general result at which every one, without investigation, had arrived. With this very thin covering from the wrath of the Irish people, the government, after some delay (which Mr Gladstone by an unfortunate expression ascribed to his not having had time to attend to the report of the committee), proposed to give the Lord-Lieutenant power to suspend *Habeas Corpus* in certain districts, where Ribbonism abounded. The effect of this measure was most efficacious and salutary. The Ribbon leaders fled to England, where it was unfortunately decided they should be unmolested. For a while the organisation was sadly disarranged; and time was given, it was hoped, before the act should expire, for the Land Bill to do its work in establishing better relations between landlord and tenant.

CHARLES LUCAS, M.D.

BORN A.D. 1713.—DIED A.D. 1771.

THE memoirs of Charles Lucas link the memory of the period just passed with that on which we are now entering. It is as the initiator of a patriotic movement that he is of importance in Irish history. His first appearance upon the scene was in the rising of that healthy wind of public spirit, which was, before his death, for a while to regenerate the country. He is remarkable as having been the first Irishman who advocated short parliaments, and the Octennial Bill was chiefly the result of his persevering efforts. Lucas's ancestors were respectable farmers in the county Clare. He himself seems to have come to Dublin early in life and established himself as an apothecary, subsequently taking out the degree of doctor of medicine. He gained considerable reputation as a physician, being employed by many of the Irish nobility, and his practice was fed and extended by his politics. The election of the energetic doctor to the common council of Dublin, prepared the court of aldermen for a troublesome assailant. It was in 1743 that, in concert with Mr James Latouche—a name honourable in the records of Dublin—he raised an inquiry into the lavish expenditure of the corporation, which had encumbered the city estate to the extent of £30,000. It was while engaged on this inquiry that a new quarry started before them; they fancied that the appointment of aldermen, which was monopolised by the court of that order, belonged

properly to the whole corporate body—Mayors, Sheriffs, Common Councilmen, etc. This supposition was backed by the most eminent legal opinions, but on a suit being brought in the Court of King's Bench, on a motion of *quo warranto* against the last elected alderman, permission was refused for an information, and the proceedings were rendered abortive. The main confederates were left to sustain the weight of the victorious board's displeasure, and their names were in consequence struck out of the next triennial returns of the common council. Shortly after, the aldermen had the satisfaction of seeing their two chief assailants directing their attacks upon one another. A vacancy occurred in the representation of Dublin, for which Dr Lucas and Mr Latouche became competitors. Mr Latouche was a moderate and practical man compared with his former ally. He declared his hostility to the abuses of the corporation, but as to more general questions, he was in favour of the English connection, and denied the dependence of Ireland to be an evil, whilst he deprecated as rash and injurious any attempt to awaken jealousies between the two countries.

Whether Latouche's moderation forced Lucas into extremes, or his own violence suggested prudence to the other, we cannot determine; however this may have been, Lucas now went as far and as violently forward on national, as he had formerly upon civic grievances. He called upon the people in his addresses to vindicate their constitutional liberties, denounced the conduct of the administration, and assailed the authorities and parliament in language of such violence as laid him open to the charge of sedition. While displaying his zeal for the rights and liberties of the people, and by doing so acquiring considerable popularity, he overlooked the eyes and ears of a more formidable power. The competition between him and Mr Latouche was terminated by another vacancy occurring in the representation of Dublin by the death of Mr Alderman Pearson, whose son was started by the civic authorities. This led to a not very hearty coalition between the two candidates on the popular side. Lucas had attacked his colleague with so much bitterness, and so unfairly, that sincere cordiality was impossible between them, though they appeared together at public meetings. The board of aldermen in the meantime adopted the method of a personal canvass, and an accidental circumstance which occurred at this time gave them considerable confidence as to the result of the election. It was thought advisable, as the tolls and customs had been for a long time falling in value, owing to mismanagement, to commit them to the charge of individual self-interest. An alderman undertook to farm them for a term of years at a very advanced rate. Lucas immediately denounced the transaction as a job, and alleged that the assembly of the common council in which it had been carried, was a packed meeting of the slaves of the board. By this charge the board of aldermen was enabled to bring the common council into its own array of battle, and obtained a resolution that the charge was false, scandalous, and malicious. Lucas attempted to defend himself, but was refused a hearing, while in a second meeting of the council, not only was the censure confirmed, but the author of a pamphlet entitled "Lucas detected" received a vote of thanks. Lucas and his friends appealed to the corporations, of which fifteen out of twenty-five declared

against the aldermen; but the courageous doctor, notwithstanding this support, was soon to be driven out of the field by the censure of a more powerful body and the threat of condign punishment. A weekly newspaper named the *Censor*, filled with the most scandalous attacks upon his opponents, was believed to come principally from his pen, and quickened into decisive action the malice of his enemies. A new Lord-Lieutenant had come over in the person of Lord Harrington. It was supposed from his conversation, that he was inclined against the court of aldermen; and on his arriving in Dublin, the doctor hastened to the castle. He was received and listened to with politeness, although no decided opinion was expressed by the Lord-Lieutenant, who merely took a copy of papers forming the substance of the speeches and addresses upon which Lucas had been accused, and dismissed him with every mark of courtesy. Dr. Lucas took all this as an assured victory; his own bluntness and simplicity made him incapable of seeing through the diplomatic veil of attentive civility; but when in the fullest confidence he attended at the next levee, he was surprised and mortified by receiving an intimation to withdraw. The meaning of this was not to be mistaken; and a few days after, on the opening of parliament, the Lord-Lieutenant's speech contained an allusion too plain to be misunderstood. Two days after the subject was directly introduced; a complaint was made enumerating Lucas's misdemeanours, and it was ordered that he and his printer should next day attend to be examined before a committee of the house. He attended, offered to vindicate himself, and was of course told that he was there only to answer such questions as should be put. Among other evidence the books and papers which he had presented to the Lord-Lieutenant were produced; without these he could not have been condemned, and Lord Harrington had the questionable taste to hand over to the accusers the documents which had been entrusted to him for his private perusal. After the examination Dr. Lucas was ordered to withdraw, and four resolutions were passed affirmatory of his guilt, and calling for a prosecution, with an order that he should at once be committed a close prisoner to Newgate jail, for violating the privileges of the house. The only stand in his favour was made by Sir Thomas Prendergast, but it was plain that from such a combination as was arrayed against him, no effectual shelter could be found, and, convinced of this, Lucas escaped to England. Absence by degrees blunted the edge of hostility, and he was enabled after some years to avail himself of a reaction in his favour and return to Dublin. He was elected for the city, and in the new field opened for his practical talent and keen popular spirit he soon began to take a prominent part. He was one of those who brought in a bill to limit the duration of parliaments; and he subsequently endeavoured to secure the freedom and independence of parliament by ascertaining the qualification of members, and providing that by accepting office under Government they should vacate their seats. Lucas was very active in opposing the dispensing power of the king in council, and published an address to his constituents, attacking the measure with his usual vehemence. As might be expected, the man of popular assemblies and the hero of corporations was not so effective in an assembly of lawyers and trained debaters. He was too combative, too wanting in self-command and tem-

per, to be a leader of men. In time, however, he acquired that certain weight which cannot be denied to sincerity and earnestness. In his old age he was an object of general respect, his appearance and venerable deportment contributing to produce this feeling. During the latter years of his life he was reduced to the lowest degree of infirmity by repeated attacks of the gout, so that he was always carried to the House of Commons, where he could scarcely stand for a moment. His appearance in the house is thus described "the gravity and uncommon neatness of his dress, the gray, venerable locks, blending with a pale but interesting countenance, in which an air of beauty was still visible, altogether excited attention, and I never knew a stranger come into the house without asking who he was." He was married three times—at his last marriage he was so crippled as to have to be carried to bed. He left children by his three wives. His death occurred in 1771, and he had a public funeral which was attended by the Lord Mayor and corporation and many members of the House of Commons. A statue of Lucas was placed by subscription in the hall of the Royal Exchange in Dublin.

Dr Lucas was a clear and forcible writer; and if it be true that the skilful imitator of Bolingbroke tried his 'prentice hand on the Dublin doctor, copying his style and pushing his opinions to extremes, it was no little glory to be thus made a subject even for the mimicry of Edmund Burke. For many years he conducted the Freeman's Journal, a paper founded shortly after the accession of George III., always patriotic and fair in its politics, but then the organ of liberal Protestantism as it is now of Roman Catholic liberalism. Lucas was a decided Protestant; his patriotism and his liberal sentiments only embraced his co-religionists; the Irish Protestants were to him the Irish Nation, though but half-a-million out of the two million and a half forming the population of Ireland. This observation applies to all the patriots of that day, until Grattan soared to a higher region of patriotism, and Roman Catholic emancipation became the watchword of the party of freedom. While the selfish exclusion of the Roman Catholics from their aspirations continued, there was a curse of sterility upon even the successes of the patriots. To secure, as they hoped it would, the independence of parliament, they fought for the Septennial and obtained the Octennial Bill, which was the great triumph of Lucas's political life; but its only effect was to increase the gains of the boroughmongers, by bringing their wares into the market oftener than before. The freedom of parliament, the declaration of right, the repeal of Poyning's law, the independence of Ireland, all won, and all lost; the act of union was the finishing stroke by which everything that belonged to the weak was given into the keeping of the strong, and Ireland became as an unwilling and unhappy wife, deprived of all rights of her own, by a selfish, inconsiderate, self-opinionated, and coarse, though not ill-natured husband, whom she none the less with all her heart detested.



## JAMES, EARL OF CHARLEMONT.

BORN A.D. 1728. — DIED A.D. 1799.

JAMES CAULFIELD, first Earl of Charlemont, came of a distinguished family; the founder had been created a baron for services both by land and sea, having taken part in important naval actions under the great admirals of Elizabeth's reign, and fought under Mountjoy in the Irish wars against the Earl of Tyrone. Another member of the family (the second viscount), having been implicated in the Revolution, suffered attainder from the parliament of James II., but was restored and promoted by William III.; and afterwards signalised himself by his valour in Spanish campaigns, under the Earl of Peterborough. The subject of our memoir, being considered too delicate for the rough life of a public school,—then rough indeed—was educated at home under private tutors, and was an excellent type of the sort of character formed by home training. His sensitive refinement, singleness of heart, religious principle, delicate sense and high standard of honour, extreme contempt and disgust for all that was impure and profligate, and his good address and conversational powers, were all directly traceable to his being brought up in the society of his parents, tutors, the guests of the family, and younger brothers and sisters. On the other hand, the rough training and hourly collisions of school-life give the nerve and confidence in which Lord Charlemont was somewhat deficient, and rub off that extreme sensitiveness and unwillingness to be exposed to the public judgment which kept him silent in parliament, even when the acknowledged leader of his party. At the age of eighteen he had mastered more than the ordinary course ordained for young men, but had so materially injured his eyesight, that foreign travel was recommended as a relaxation; and he accordingly set out upon wanderings that ultimately, whether at the outset it was so intended or not, extended over eight years. He had the advantage, during all this period of foreign travel and sojourn, of the companionship of his tutor, Mr. Murphy, a classical scholar of considerable reputation. In Holland he witnessed, and probably derived a youthful inspiration from, the movement which seated the Prince of Orange in power; and proceeding thence to Germany, he paid a visit to the English army, and was kindly received by its commander, the Duke of Cumberland, with whom he always afterwards continued on friendly terms. His next stopping-place was Turin, celebrated for its university, where his passion for study seems to have broken out afresh, and he continued there as a student for a year, a favourite of the Sardinian court, and enjoying the youthful friendship of the Prince Royal. In the eminent and varied society of Turin, his formed and pleasing manners, and the conversational power which he so early developed owing to his association from childhood with older minds, won him many warm friends,—not the least distinguished, and probably the most dangerous of whom, was





J. M. H. 1793

David Hume. Lord Charlemont observed, with gratified vanity, that the philosopher singled him out from among all the other young men, and evidently desired (such, at least, was his own belief,) to make him a disciple. Against this danger, however, his mind was fortunately proof; and if we may judge, from the very amusing and graphic sketch which he has left of Hume's appearance and address, his personal persuasions were less weighty than his writings. Mrs. Oliphant, in a recent work, in which she selects Hume as the typical sceptic of that period, has copied Lord Charlemont's description of him almost verbatim. His harsh dialect and awkward manner, his broad face, with wide mouth and vacant leaden eyes, and low clumpy form, dressed in a scarlet uniform which he wore, "like a grocer in the train bands," in the midst of that polished and perfect society, must have made a most curious and incongruous figure. Instead of becoming a disciple of the amiable but odd-looking infidel, Charlemont wonderingly speculated what could induce a man not only so free from malignity, but so benevolently disposed as Hume, to do such a deadly wrong to mankind as to endeavour to impair religious belief; and concluded that he was prompted by the overpowering vanity and craving for distinction so often found united with an uncouth exterior.

We cannot follow Lord Charlemont on his travels, which extended from Italy to Constantinople, and thence to Egypt and Greece. Of course he felt the ordinary, or perhaps more than the ordinary, pleasure of a classical scholar, in visiting the beautiful and haunted scenes of Greece and its islands; encountered the usual storms in those capricious waters, and met with the customary mishaps and adventures. At Messina he had an opportunity of seeing the awful desolation caused by the plague, which, just before his visit, had carried off five-sixths of the inhabitants. There his party were put to the curious test of jumping over a bar, three feet from the ground, to prove their freedom from infection; and only one very stout gentleman found a difficulty in satisfying the authorities; but even he succeeded, after many desperate efforts. On one occasion, in a tremendous Levanter, the captain of the vessel came down and told his passengers to prepare for the worst, as the ship must almost to a certainty founder. The momentary silence which followed was broken by an exclamation from Mr. F. Burton. "Well," exclaimed that gentleman, "and, I fear," writes Lord Charlemont, "with an oath, this is fine indeed! Here have I been pampering this great body of mine for more than twenty years, and all to be a prey to some cursed shark, and be damned to him." The "unexpected oddity" of this exclamation afforded a moment's mirth, on which fear itself was willing to seize as a brief respite. The danger continued through a wild night of storm, during which all depended on a single plank, which was in a bad condition, holding. "And yet," writes Charlemont, "we hoped—the principle of religion was active in our minds, and despair fled before it. Woe to the wretch who, in such a situation, is destitute of this comfort!" We quote this passage to show how unsuccessfully Mr. Hume had endeavoured to make him a convert to his infidel views. Having put in at Malta, and been released from quarantine in 23 days, Lord Charlemont was received with great hospitality and distinction by the military monks. The Grand Master,



prohibited by custom from eating with his guests, joined the company when the cloth had been removed. Masked balls, which had long been forbidden on account of the riots they occasioned, were renewed in honour of him and his friends, and afforded them a good opportunity of judging of the profligacy of the island. In Malta dissipation and luxury, and consequently vice of every description, were carried to the most extreme lengths. "The town of Malta is one vast brothel," was the pithy and comprehensive description of Charlemont. The knights of Malta being only religious, in so far as they were devoted to a life of celibacy, but in every other respect ordinary military men, compensated themselves for the abstention from matrimonial pleasures by the lowest depths and latitudes of profligacy. Debauched themselves, they debauched the island. "Every woman almost is a knight's mistress, and every mistress intrigues with other men. Hither flock, as to an established mart for beauty, the female votaries of Venus, from every distant region—Armenians, Jewesses, Greeks, Italians." We recognise in the tone of genuine contempt in which he speaks of this profligate society, one of the great advantages of home training, a natural loathing of vice. Having returned to Turin to be present by invitation at the marriage of the prince, he thence proceeded to Rome, where he resided for two years, and was one of the earliest examples amongst the English of house-keeping there; his establishment being efficiently superintended by his friend Mr. Murphy. Whilst at Rome he was a liberal patron of art, and Sir William Chambers, who was then in straitened circumstances, was indebted to him for assistance. He seems to have extended his acquaintance among cardinals, ambassadors, and noblemen of every rank and nation; and the reigning pope, Benedict XIV., treated him with affectionate, almost parental kindness. After leaving Italy, he made a short journey into Spain, and then, on his homeward route, travelled through France. He has left an interesting account of a meeting which he (accompanied by a friend) had with the philosopher Montesquieu near Bourdeaux. On this occasion his physical powers were put to the same test as at Messina. Having been taken out to see some improvements in the grounds, they came to a wood surrounded by a paling-fence, and Montesquieu, who is described as "a gay, sprightly, polite Frenchman," but, withal, seventy years of age, not having the key of a bar three feet high which crossed their path, proposed, to save time, that they should jump over it, and himself gallantly led the way over to the amazement and delight of his guests, who were relieved from the restraint they had first felt in the company of the distinguished philosopher at finding him likely to become their playfellow. Montesquieu related to them how, in England, the Duke of Montagu, having invited him to his country seat, before they had time to get into any sort of intimacy, but probably with a similar design of removing his embarrassment, (and this may have suggested the recollection to the Frenchman,) adopted the much more extreme measure of sousing him over head and ears in a tub of cold water. Whether this had the desired effect of removing the first awkwardness has not been left on record, but Montesquieu, though he thought it odd no doubt, took the expedient good humouredly, as a specimen of insular manners. After a sojourn of three days at the ex-president's villa, his

secretary accompanied them to Bourdeaux; and at the end of their journey they found out to their great uneasiness that this gentleman before whom they had exchanged remarks in English, which they did not intend him to understand, was in reality a countryman of their own. However, in their subsequent meetings with Montesquieu at Bourdeaux they found him as friendly as ever, and were as much surprised by his command of that light ethereal sort of conversation which is so acceptable to Frenchwomen, as they had previously been at his senile agility. This was but a short time before his death.

In June, 1754, Lord Charlemont returned to Ireland in his twenty-sixth year, with a knowledge of the great world, and a freedom from local bias, which probably imparted a loftier tone to his public career, and made him a unit of a higher political order than has ever been indigenous to Ireland. His long sojourn in foreign countries, and mixture with distinguished men of all nations, enabled him to look from an eminence, on which mere intellectual power would not have placed him,—and see the affairs of his own country without prejudice, and in their just relative proportions. His rank and wealth set him above the temptations of the struggle for place and pension which he saw going on below, but into which his contempt for all that was base and unworthy would have made it impossible for him to enter. Absence, while it elevated and cleared his political vision, did not lessen, as it does in so many, attachment to his country. In him patriotism was free from fanaticism, was always guided by judgment, and a strong sense of responsibility towards the land in which he enjoyed his rank and property entered into its composition. He was, as he styled himself in an epitaph found among his papers after death, “a sincere, zealous, and active friend to his country.” This truly describes the dignified and protecting affection with which he regarded Ireland; he was a self-sacrificing and sincere friend, rather than a blindly devoted lover. He thus in his latter days bore true testimony of himself: “I need not say how ardently I have ever loved my country. In consequence of that love I have courted her, I have even married her, and taken her for life.” There is traceable in this language a conscientiousness of the social sacrifice he had made in immuring himself in Ireland, where he found scarcely anyone with whom he cared to be on terms of friendship, giving up his taste for travel, and denying himself the pleasure of mixing in the congenial society of the English metropolis; it also inadvertently expresses the protecting relationship in which he felt himself to stand to his country. What makes the leading position held by Lord Charlemont in the popular party for nearly half a century so very striking is this,—the absence of those brilliant qualities, or even the power of great political generalship, presumably necessary for the attainment of such a position. He held it merely on the strength of his moral worth, and the confidence inspired by a high and chivalrous character:—because he was the honestest and most trustworthy man of all who might aspire to be a popular leader then to be found in Ireland. He possessed, it is true, good sense and sagacity, considerable tact and address and knowledge of men and manners; but it was his really noble moral character which made him the head of his party. He was the first of Irish patriots—almost the originator in Ireland of

that virtue which ultimately degenerated into a national vice. The country as he found it was not only in the most impoverished and languishing condition, but by the necessary reaction of such a state of things on human feeling, its interests were generally affected. As Swift wrote to Bolingbroke with a truth that in our times may only pass for wit, "the fact is, we never had leisure to think of that country while we were in power;" the sentence carries a reflection on the patriotism of Swift too severely true for the play of fancy; and it may be generally applied to the patriotism of the gloomy interval between the Revolution and the date at which we have arrived. The Irish patriot was only such for the ordinary purposes of opposition—the struggle for place and power, and the conflict of personal interests. But if ever patriotism existed without the alloy of corrupt and selfish motives, it was in the breast of the Earl of Charlemont. From the first year of his return, when, owing to the favourable report that preceded him, he received from the university of Dublin the honorary degree of LL.D., and was appointed governor of Armagh, with a seat in the Irish Privy Council, he was generally looked upon as a coming man. His entrance to public life was in itself extraordinary, and marks the position he at once took up. It was as the negotiator of a reconciliation between Primate Stone and Mr. Boyle, the Speaker of the House of Commons, who had engaged in a trial of strength as to the disposal of a surplus of revenue, amounting to £200,000, disputed between the Crown and Commons. The Speaker was a self-seeking patriot of the type we have described; he possessed considerable talent, and an influence in parliamentary elections more extensive than that of any other individual; and his opposition was likely seriously to retard and embarrass the Irish government. His opponent was one of those Irish ecclesiastics on whom we look back with a mixture of wonder and repulsion, and whose existence in the 18th century is so anomalous as almost to excite incredulity. A Protestant Cardinal Wolsey, who flourished a hundred years ago under the British crown, is almost incredible, and yet such was the position of Primate Stone. The Primate was, in fact, the temporal ruler of Ireland, and cherished a very unspiritual love of earthly power. Like Archbishop Boulter, who expressed the utmost dread lest the Protestants and Catholics should become more united, Primate Stone was the incarnation of Protestant ascendancy, and looked upon his office as being to protect English interests at the expense of Irish. The conflict between these two men was extremely inconvenient to the English government, who did not wish the "power of the purse" to be brought into dispute. A resolution of the Commons asserted the right of parliament over the expenditure of the surplus in question, but the Primate, who was at the head of affairs, paid no heed to this resolution, and the money was expended by government. The English ministry perceived the difficulties to which they might be exposed by such treatment of the Irish parliament by the archiepiscopal Lord Justice—their policy having been to preserve the right of imposing and expending the taxes without exciting opposition by an offensive exercise of the power. They feared the opposition of the Speaker, and they disliked the support of the Primate; and to set both aside, their first step was to send over

as lord-lieutenant the Marquis of Hartington (son to the Duke of Devonshire), whom personal qualifications, and the large Irish property of his family, made highly popular in Ireland. The new lord-lieutenant intrusted to the young Earl of Charlemont, who was related to the Speaker, and influential with the primate, owing to his social and public position in Armagh, the task of bringing the two parties together, and effecting a personal reconciliation. In this task he was very successful; but he little knew when performing the amiable part of peace-maker, and moving them to mutual forgiveness, that the dignified archbishop and the patriotic commoner were laughing at him in their sleeves, and had really concerted a private treaty between themselves and the government, in which the conditions were set forth of this Christian act; it was agreed that the Primate was to have his share of power, "though not at that time, yet at no distant period," and that Mr. Boyle should be created Earl of Shannon, with £3,000 a-year for thirty-one years. Charlemont's natural satisfaction at the success of the delicate task with which he had apparently been intrusted, was changed into disgust on learning its real spring, and the baseness of the transaction in which he had been made to appear as the principal negotiator. "This," said he, "was the first instance that occurred to me among many thousands to which I was afterwards witness, that the mask of patriotism is often assumed to disguise self-interest and ambition; and that the paths of violent opposition are too frequently trod as the nearest and surest to office and emolument."

The dispute, however, which was thus settled, had the most wholesome effect on the public mind; and one remarkable and significant result was, that a borough sold in 1754 for three times as much as in 1750. A free discussion was once more heard within the walls of parliament, and a spirit was aroused which never again subsided until it manifested itself in the most remarkable passages of Irish history. It was not, it is well observed by Mr. Hardy, Lord Charlemont's biographer, a mere motion of the populace, like those tumultuary excitements caused by the Drapier's Letters; but it was an open, full, and spirited discussion, which burst in upon the torpor of the Irish parliament like a breeze upon a stagnant sea, which awakes the billows of its power, and disturbs the reptiles that float upon its torpid level. The discussion that was aroused by this transaction, though it apparently came to nothing, and the resolution of parliament was allowed to be overridden, propagated an impulse into the future; and we shall presently come to the first indication of the latent power which was thus brought into being.

Lord Hartington, who had duly appreciated the independent and noble character of Lord Charlemont—and from whom the latter had received unsolicited a cornetcy of dragoons for his brother—the only favour with emolument attached to it he ever received from the Castle, having succeeded to the dukedom of Devonshire by the death of his father, left the government of Ireland in 1756, and was succeeded by the Duke of Bedford. It was about this time that Charlemont, in whom the spirit of opposition began to stir more strongly, formed the design of trying by a fictitious suit the validity of the act passed by the English parliament in the reign of George I., depriving peers of



Ireland of their judicial functions. A severe illness, followed by a long interval of delicate health, obliged him to relinquish his design; and when he had acquired more experience, he was glad that he had been prevented from carrying it out. Failure would only have confirmed what he regarded as a wrong; and it is extremely doubtful if the Irish House of Lords would not, so little independence then existed in it, have confirmed its own deprivation. "Neither Grattan nor Flood were yet in parliament, nor if they were, would parliament have encouraged them. My splendid but boyish scheme fell therefore to the ground," was his own comment in later times. Lord Charlemont's illness was of a nervous character; during three or four years he took little active part in public affairs, and his health was not fully restored until the year 1760. In the first year of the Duke of Bedford's lord-lieutenancy, however, an incident occurred in which his influence was at work, and helped to give the House of Commons its first success over the Government. A resolution was passed that "the pensions and salaries placed on the civil establishment in Ireland, since the 23d of March, 1755, amounted to the annual sum of £28,103; that several of such pensions were granted for long and unusual terms, and several to persons not resident in the kingdom; that granting so much of public revenue in pensions was an improvident disposition of the revenue, an injury to the crown, and detrimental to the kingdom." It was ordered that the House should wait upon the Lord-lieutenant, and request him to submit this resolution to the king. The answer of the Duke of Bedford to the Irish parliament was, that he would take time to consider the propriety of forwarding such a message. This extravagant piece of insolence was met with unwonted spirit; and, we have little doubt, from the notice he has left of the affair, that the course taken by the House was prompted by Lord Charlemont. Two days after the duke's demur to forwarding the resolution, it was resolved that all orders should be adjourned until the House should receive an answer from the Lord-lieutenant. The Government, startled by this proof of a spirit of resistance, hitherto latent, withdrew with undignified haste from the foolish position it had assumed, and for which Primate Stone and Mr. Secretary Rigby had probably been principally to blame. Lord Charlemont exonerated the duke himself; who gradually, as his eyes became accustomed to the fog of Irish politics, and he began to act independently, won upon the public esteem. In opposition to much preconceived prejudice and evil counsel, he treated the Catholics with unexpected favour and indulgence. Indeed, an enlightened English nobleman could scarcely fail to discern, whatever were his party views, that the policy maintained in the government of Ireland was not in unison with the principles of any existing party or creed; there was no class of men in England or Ireland whose views were identical with those of the Irish Privy Council. He could not fail to discover a fact which is too generally overlooked, that the stern policy of the Irish Government was that of a small knot of powerful individuals. The Protestants of Ireland were not answerable for this policy; on the contrary, they were full of the most kindly sympathies towards their Roman Catholic brethren, and felt the most universal abhorrence of the active oppression under which they suffered, and the iniquitous penal laws. But of course it must be understood that a

powerful faction, however small in number, must be surrounded by a cloud of partisans, composed of those who are ignorant, those who are paid, and those whose private interests are concerned. Perhaps it was the perception of a state of things for which he could see no other remedy, that suggested to the Duke of Bedford the idea of a union between England and Ireland, which would deliver the latter from her native oppressors, and subject her to the same system of free government enjoyed by the former. There certainly was, during his administration, a very prevalent rumour that such a measure was being contemplated, though it does not very plainly appear from what quarter the rumour proceeded. Mr. Hardy conjectures that it arose from some convivial suggestion of Mr. Rigby, who indulged much in social intercourse, and, in the contracted society of Dublin, such a hint would have quickly spread. It is not improbable that it was a feeler—a straw thrown upon the wind of rumour; if so, the indication it evoked was not doubtful, as great murmurs of discontent agitated the town, and the affair was presently forgotten.

Lord Charlemont having, in 1760, owing to the skill of his physician, Lucas, quite got over his delicacy, was witness to a very remarkable display of popular spirit on the occasion of the landing of a small fragment of a French invading army at Carrickfergus. We have already (Introduction, p. 4) spoken of this landing,—the sudden attack upon the castle, the repulse, mainly by the inhabitants, the surrender owing to want of ammunition, the abandonment of the place by Thurot, and the re-embarkation and capture of his force. The French commander, who had expected to be welcomed by the people as their deliverer, and to be able to raise and arm a body of irregulars to supplement his handful of troops, was amazed to see the people of Antrim assembling in great force to repel the invasion. The patriotic spirit of resistance which it provoked was the only thing that made the landing memorable, and may probably be regarded as the first symptom, and perhaps the occasion that suggested the movement of the Volunteers. Lord Charlemont, who was governor of Antrim, was only in time to receive the surrender of those who, being wounded, remained in the fort. Among the prisoners was M. Flobert, the officer whom Thurot seems to have superseded in the command. Charlemont was surprised, as he proceeded, to find the northern counties in arms, the hardy northern yeomanry, roused by the sound of invasion, pouring in thousands into the towns headed by the gentry, in a manner that recalled the annals of a more military age; and he has thus recounted what he saw on his arrival in Belfast:—"The appearance of the peasantry, who had thronged to its defence,—many of whom were my own tenants,—was singular and formidable. They were drawn up in regular bodies, each with its own chosen officers, and formed a martial array; some few with old firelocks, but the greater number armed with what is called in Scotland the Lochaber axe—a scythe fixed longitudinally to the end of a long pole—a desperate weapon, and which they could have made a desperate use of. Thousands were assembled in a small circuit; but these thousands were so thoroughly impressed with the necessity of regularity, that the town was perfectly undisturbed by tumult, by riot, or even by drunkenness." The spirit thus manifested

was destined, in few years, from the same place, to produce the most important national results.

In 1760 the Duke of Bedford returned to England, and on the 12th of October George II. died. Lord Halifax was the new Lord-lieutenant, and his secretary William Gerard Hamilton, celebrated for his single speech, of which more hereafter. The marriage of the king was the occasion of an attempt to put a slight upon the Irish peeresses, which roused all Lord Charlemont's patriotism and gallantry. It having been the intention of a number who were in London at the time to appear in the nuptial procession in their robes, they were apprised by the Duchess of Bedford, greatly to their amazement and chagrin, that they were not entitled, as members of the Irish peerage, to take any part in the state ceremonial. It would be difficult to imagine a finer opportunity for a chivalrous young peer to show his attachment to his country, his order, and above all, to the fair sex. With the promptness in action for which he was always distinguished, he immediately went the round of the Irish peers then in town, to obtain the advantage of their concert and influence in a matter which lay so near to their honour, and in which the feelings of their own wives and daughters were so deeply concerned. In this mission, however, he appears to have been to a great degree unsuccessful; whether owing to the abject spirit of subserviency which too generally prevailed, or to the fact that, as husbands and fathers, they were less enthusiastic than he in a matter involving considerable outlay, and were rather glad to be relieved from the loyal and patriotic duty of sending their families to figure in a court pageant. If feelings so base animated the breasts of others, Charlemont, at all events, was resolved, that neither precedent nor etiquette should deprive the peeresses of Ireland of the place which was due to their rank and charms; and having found an ally in Lord Middleton, they both waited on Lord Halifax, the new Irish Lord-lieutenant, at Bushy Park, by whom the matter was immediately brought before the king himself. George III. entered at once, with the natural grace and kindness of his disposition, into the aggrieved feelings of his fair subjects, and promised that their claims should be submitted to the Privy Council, which was to sit upon the following day. Lord Charlemont was informed that he must be provided with precedents to lay before the council, and fortunately learned that Lord Egmont, who had written a work on the rights of the Irish Peerage, could probably supply him with the information he required. After an anxious night, he called upon this learned peer, and was introduced into his chamber before he had risen. Happily, Lord Egmont was full and satisfactory on the subject of his inquiries, and undertook to furnish the required precedents in writing, which he did upon the spot. These were forwarded to Lord Halifax, by whom they were submitted to the council; and, notwithstanding the angry opposition which they excited, and which may undoubtedly help to show the contempt which at that time lay upon Ireland, even though the matter in itself was one about which the Irish nation could not have felt much concern, the king interfered on behalf of the peeresses, and ordered that they should walk in the ceremonial according to their ranks. It seems that after procuring this concession, Lord Charlemont had some trouble in making the nobility take advantage of the places

thus assigned them; and he took care, to crown his labours, that their names should appear in the "Court Journal." This gallant vindication of the rights of the peeresses may be classed with his youthful intention of bringing to a decision the judicial powers of the Irish House of Lords; and both together show a jealousy for the dignity and power of the order to which he belonged, hardly, when seriously considered, to be confounded with patriotism. His possession of that virtue requires not the slender proof those transactions could afford; and by confounding with patriotism his very strong patrician pride, we should miss a distinct trait of character. His moral position as a patriot was the more remarkable because he was also a noble of the nobles.

During the administration of Lord Halifax, those secret societies of the peasantry for the redress of wrongs which the law of the land, instead of punishing, permitted and empowered, became very prevalent over the whole of Ireland, but were especially formidable in the northern province where the young Lord Charlemont now wielded a sort of chieftain's power. There alone the spirit of the people was unbroken by the terrible oppression that elsewhere had crushed the heart of Ireland—that oppression which alone the English people know how to exercise,—which their descendants have not paralleled in the southern states of the American Union, nor Russia in Poland, nor any nation elsewhere,—which made it natural to the Irish peasantry to cringe like dogs about the feet of their masters—which made it natural for them to go down upon their knees to the magistrate or agent, or even "the parson" himself, when demanding a favour, and from which the province of Ulster was alone exempt. There the people were accustomed to be treated as human beings, rights and customs prevailed, and even the Roman Catholics, to a great degree, shared in the advantages of their Protestant neighbours. But the northerners themselves were not without their domestic grievances, and the mediæval system of keeping the roads in repair by requiring of each householder six days' labour in the year of man and horse, began to be violently resisted. What chiefly exasperated the peasantry was, that the roads were not generally made with a view to the popular convenience, but to the convenience of the landlords, and hence were called *job roads*.\* One parish openly refused to make any more: the contagion spread, and soon extended over the whole province—the Hearts of Oak, as the resisters of compulsory labour were called, gradually extending their opposition to the payment of tithes and rent. The disturbance had almost assumed the dimensions of an insurrection, when Lord Charlemont, who, more than any man in the north, possessed the unbounded confidence of all classes, from the highest to the lowest, hastened to his post as Lord-lieutenant of Armagh, and by promising a redress of wrongs, and by the exercise of his great influence, and not without some bloodshed, restored the peace of the province. Nor did he fail, in the ensuing session of parliament, to exert all his influence that his promise should be carried out;

\* After the famine the Board of Works, in order to prevent a return to this system, provided that the roads, on the construction of which the poor received employment, should be such as not to suit the convenience of any person,—hence they generally were made to lead half a mile into a morass, or to the foot of an inaccessible hill. See Introduction, p. 76.



and the result was, that the old act was repealed, and a new provision made by a more equal distribution of burthens for the making and repairing of roads. For his important services in quelling these disturbances, Lord Charlemont, in 1763, was raised in the peerage to the dignity of an Earl.

While the Hearts of Oak were disturbing the north, Munster was infested by a secret society called into being by the\* enclosure of the commons, and known as the Whiteboys. When a system of outrage had once begun, sectarian zeal, which is never far behind where mobs are congregated for any cause, was easily turned on the Protestant clergy; they and the landlords were regarded in the same category as parasites living on the people, and the landlords made this serve a double purpose—both as a diversion of popular hatred from themselves, and as obscuring the real cause of the discontent, which was their own tyranny. By giving a religious colour to all such disturbances, they confirmed even the most liberal statesmen of that day in the opinion that it would not be safe to relax the penal laws by which, in truth, the Roman Catholics were rather galled than confined. It has ever been so, that popular insubordination in Ireland has been in its essence and root unconnected with religious feeling, while in its outward developments assuming enough of that character to seem to justify the prejudices that connected the past and present,—the time when to be a Roman Catholic was to be a Jacobite and a conspirator, and the day when Jacobites and conspirators were extinct, but the Roman Catholics still continued to be regarded with a senseless suspicion. This superstitious terror of them survives amongst us to the present day; and indeed, except in the highest and most cultivated circles, can scarcely be said to have abated one jot. The mixture of fright and fury which Roman Catholicism excites in the ordinary Englishman is one of the most remarkable phenomena of history, and can only be compared to that superstitious dread implanted in childhood, and from which few men can ever pretend to be wholly emancipated. We insist so much upon the religious complexion which was given to the Whiteboy disturbances of Charlemont's time, and the prejudice which has thus from time to time been reanimated, because it will account for the position held both by him and by his most liberal contemporaries on the Catholic emancipation question. The utmost extent of their liberality went no further than a wish to ease the upper ranks of that church from the pressure of a law at once insulting, inconvenient, and ineffective. A circumstance which occurred at this time will serve to illustrate the general sentiment; and is not out of place here, as Lord Charlemont's views were strongly expressed upon the subject. The only field in which Roman Catholics could attain military distinction was in foreign service; and the injurious effects of this foreign training had been felt in the rebellion of Sir Phelim O'Neale. The Portuguese government having applied to England for aid, it was proposed to raise six Irish regiments to be transferred to the Portuguese service. This was proposed by the secretary in that celebrated oration which won for him the soubriquet of "Single speech Hamilton," and has thus carried down to posterity

\* Introduction, p. 6.

the erroneous impression that he never spoke but once. But the opposition, founded on the old precedent of Sir Phelim O'Neale's rebellion, was too strong for the government, and the motion failed. Lord Charlemont, who concurred in this opposition, was yet too amiable and generous not to deplore the position of so many of his fellow-countrymen. We will just quote a sentence of his as embodying the liberal creed of the day:—"The situation of the Catholic gentry of Ireland was at this time truly deplorable. The hostile statutes directed against them, however their necessity may have ceased, were still unrepealed, and respecting devise and inheritance they laboured under the greatest hardships. In time, however, it might be hoped that these difficulties might be palliated, or perhaps removed; but they were subject to one inconvenience which seemed to be so interwoven with the existence of a Protestant interest and government, that sound policy, and, indeed, necessity, must for ever prevent its being remedied." The possible removal of some restrictions from "the Catholic gentry of Ireland" was we see the utmost bound to which Lord Charlemont's wishes advanced; while even then he thought it would be "for ever" necessary to exclude from all share in self-government, lest "the Protestant interest" (a phrase that sounds strange and scarcely intelligible to modern ears) should suffer by their admission. The admission of the Roman Catholic populace to equal rights with people of other denominations was still as far from his thoughts as the admission of the sea through his ocean barriers is from a Hollander's. But times altered, and public opinion slowly modified, and made Lord Charlemont less confident as he grew older; and we shall find that in the end the conquest of "an old prejudice" was achieved in his essentially conservative, but, to the extent of his light, just mind, by one of Ireland's most eminent sons.

We are now entering on the phase of Irish history in which the most prominent figure was that of the young peer who had already taken up the position of leader of the popular party in Ireland. Other leaders were to arise in a few years—men like Grattan and Flood—who were to surpass, but not to take his place: but during the transition period his was the leading spirit. We must briefly consider the condition of the country and the growth of the forces, of which Lord Charlemont was the exponent. From the time of Swift there had elapsed a long torpid interval in which the nobility and gentry held the people in a subjection like that of the brute kingdom, and they in turn were kept in bond by a lavish expenditure upon themselves and their clients of the public revenue. Besides this, they depended on Government to support them in their despotic authority over the native Roman Catholics, who, in consequence of their submission to extortion and tyranny, were preferred to Protestant tenants. The latter being more civilized and independent, felt the oppression of these local tyrants more keenly, even though it weighed upon them less heavily. Protestant ascendancy was only another name for a tyranny of Families which the Roman Catholics suffered from, and Protestants resented, most. The greater submissiveness of the former was owing not only to a broken spirit, but to the drawn sword of the penal laws, which was ready to be let fall upon them at the slightest appearance of resistance; and, except as an

instrument of terrorism in the hands of the Families, the penal laws were inoperative.

During this leaden interval all had lain in silence under one spiritless level of subjection. The parliament was merely nominal; it simply served to give an air of legality to enactments not less absolute than those of the first Cæsars, in which the forms of the republic were still preserved. The meetings of the houses were but formal; prayers were read; leave was given for the judges to be covered; and a motion of adjournment ended the solemn farce. The return of a bill from the English privy council was only some shades less potential than the *grandis epistola* from Capua. By Poyning's law (1495) passed at Drogheda in the reign of Henry VII., Sir Edward Poyning being lord deputy, all but money bills were to be referred to the English privy council, having besides to pass the ordeal of the privy council of Ireland, and in the end they were probably altered in such a manner as to frustrate their original intent. Besides this law, the English Commons, eager to enforce on Ireland certain commercial restraints and disabilities, passed a bill in the 6th year of George II., asserting the right of the king and the English parliament to legislate for Ireland independently and over the head of her own legislature. The Irish house of peers had at the same time been deprived of their appellate jurisdiction. It will be understood how these encroachments could have been submitted to by the Irish parliament when its own constitution is taken into account. The whole representation of the country was in the hands of the Families, and they preferred the influence of government and the added importance which they gained by patronage and power to the prosperity of the country upon which they clung like insatiable leeches. Hence, having all the power of parliament, they allowed it to remain passive, while the trade of Ireland was being ruined by excluding it from English and colonial ports, and laying prohibitory duties upon Irish exports.

In vain also from time to time efforts were made to remedy the main legal defects in the constitution of Ireland. They were always defeated by the vigilance of the Irish administration and the influence of the Families. The enormous pension list, as we have already seen, was subject of complaint,—the independence of the judges was another primary object of vain contest,—and in 1765, this latter subject was introduced with increased spirit, but with the old result. It was about this time, however, that two great managers of party were removed,—Primate Stone and Lord Shannon, who both died in December 1764; and the stability Lord Charlemont's influence and character gave to the increasing independent party began to tell, and make each new defeat a nearer approach to victory. So evident was it becoming to the administration that the opposition would soon be too strong for them, and that the influence of the Families was becoming less and less reliable as a basis of government, that the bold resolution was adopted of putting it on a completely new foundation—governing by parliament itself instead of by its masters, and purchasing the support of members in their own persons instead of in the persons of their patrons. It may be hoped too, that a sense of the disgrace of the connection with the undertakers and dislike of the unpopularity which it reflected had some influence on

their minds; and the men of ability and spirit who had stood up of late to expose the system supported and countenanced by the high position of Charlemont, made its continuance almost impossible. Daylight is all that is required to put an end to what is most disgraceful; and the dawn of a morning, cloudy enough it is true, but still a morning, was actually breaking over Ireland. The night-haunting crew could not with their deeds of darkness much longer affront the growing daylight. The English government had no desire for the independence of parliament—for what we call constitutional government in Ireland; but far more anxious to unfetter themselves from the arms of that prostitute influence by which they were at the same time upheld, controlled, impoverished, and debased, they made their election, and secured for Ireland the first great step of political revival. Till this time the Irish Commons held their seats for the life of the king—which amounted to an entire separation of interest between the representation and the people. While the constituency was nominal, this was of less consequence, and tended rather to make the nominee to a seat to some extent independent of his patron, although such independence, owing to the immense secret power of the patrons, was at best of the most limited description. But when the constituencies began to become conscious of their own existence, and to think the election of representatives in some degree a business of theirs, it was obvious that by making elections take place at intervals of a few years, instead of once in a generation, the influence of the people in parliament was increased, and the influence of the Families was proportionally diminished. Of all measures that could well be conceived, the limitation of parliaments would strike most directly and closely at the root of corrupt power. In 1765, under the administration of Lord Hertford, there was much activity displayed by county meetings throughout the kingdom, in which numerous resolutions were carried in favour of such a measure. In Dublin, a meeting of the citizens published a declaration, and instructed the city members to unite in this paramount effort. The measure for abridging the duration of parliaments having been first ineffectually and insincerely entertained in 1761, was now in 1767, under the administration of Lord Townshend, taken up with more earnestness. The Commons had been sorely pressed with the reproaches of the people, and galled by numerous writings and discussions, calculated to render them unpopular, they once more took up the question, and transmitted the heads of a bill for the limitation of parliaments to seven years. Between this step, what was calculated to allay the agitation and the passing of the bill which the agitation had been designed to promote, was an interval which it was never intended to pass. A great jealousy had been shown in the preceding year of the right of altering their bills assumed by the English Privy Council, and they had uniformly rejected any bill returned with alterations, even though most anxious for its success. It is certainly therefore a suspicious circumstance, that the septennial was changed in England to an octennial bill, and seems to argue that at this stage the English cabinet was not more sincere in wishing it to pass than the Irish Commons. Strange to say, however, contrary to the general expectation and to the consternation of many, the bill did pass; but it was still confidently hoped that the Irish Privy Council



would not allow this farce, which was becoming painful, to proceed any further. The bill was detained for two sessions, and it was hoped by those who had brought it to such a dangerous stage that they had heard the last of it; but the facts had transpired, and the clamour was long, loud, and irresistible. In fact they had allowed it to go too far; the government evidently then, if not earlier, resolved on the bold course we have already indicated of throwing the undertakers overboard, and dealing directly with the members themselves, and at last allowed the bill to issue into law. The following account was given by Lord Charlemont, of the effect which the announcement of this produced on the "friends of the measure." He happened to dine with a large party at the house of one of the great parliamentary leaders, where conviviality and good wine were abundant. In the midst of the festivity the letters and papers which had just been brought by the packet from England were handed to the host. Scarcely had he read one or two when it appeared that he was extremely agitated. The company was alarmed. "What's the matter? nothing we hope has happened that"—"Happened!" exclaimed their kind host, swearing most piteously. "Happened! the Septennial bill is returned." A burst of joy greeted the announcement from Charlemont and the few sincere wellwishers of the bill who happened to be present. The majority of the company, confused, and indeed almost astounded, began, after the first involuntary dejection of their features, to recollect that they had openly, session after session, voted for this bill, with many an internal curse it is true; but still they had always been its loudest advocates. They endeavoured therefore to adjust their looks to the joyous occasion; but they soon received another shock which brought the consequences more immediately home. "The bill is not only returned," continued their chieftain, "but the parliament is dissolved." "Dissolved, dissolved! why dissolved?" "My good friends, I can't tell you why or wherefore; but dissolved it is, or will be directly." Their feelings became too intense to be concealed; a sullen taciturnity fell upon the board, and Lord Charlemont taking advantage of the blank moment to withdraw, said that a more ridiculous rueful set of personages he never beheld.

We have dwelt at some length on this cardinal point in the history of the time, because in our introduction we were obliged to pass lightly over the transitional period. True, it would be a mistake to suppose that this change in the constitution of parliament, by which it was made more really representative of that small element in the nation which it pretended to represent, was sufficient to account for the triumphs that it was soon destined to achieve—equally false as to suppose that the broad river is indebted for its existence to the spring that forms its source, or the brawling stream from which it expands; whereas in reality made what it is, by the formation of the country and the extent of the basin it drains; so it was the whole confluence of events that led to the successes of 1782; and the Octennial bill only made a beginning; but as such was important. It was hailed by the people with enthusiastic rejoicings, and the Lord-lieutenant's carriage was drawn through the streets by the citizens, as he returned from giving it the royal assent. The parliament was dissolved; but its successor was not to meet for sixteen months, in order that Lord Towns-

hend might have time to corrupt the elements of the new assembly. The great boroughmongers were secured in the ordinary way by the exercise of patronage and a lavish expenditure of revenue; and a large number of members of the first octennial parliament were bought up at the market price. The success of Lord Townshend's preparations was very considerable, though not entire, when the parliament was next assembled in 1769. Though the government had secured a majority for ordinary purposes, they soon found they had inclosed in their drag-net some intractable and dangerous fishes. In fact they could not depend on their mercenary forces; who, having already sold themselves, of course in their own estimation too cheaply, were always wanting to be bought over again; and could never be depended on not to relapse into patriotism and virtue with utter fickleness,—as ready to break as to make their infamous contracts with government. If all the muddy depth of political life were to be revealed to those, who, like Charlemont, only see its surface, on which so much that is high and glorious is reflected, they would probably shrink from it with loathing, and leave the task of governing and making laws to the most corrupt and unworthy. But for the time fortunately it was unseen, and the stench was kept down; indeed, it is only when the tide has withdrawn that the impurity of a past day is ever completely revealed. Little was it known to the Irish parliament that a report of Mr. Secretary Orde to Mr. Pitt, made a few years later at the desire of the minister, would yet be at the disposal of whoever should choose to refer to it, stating the price of each man's support,—for how much he was willing to sell his honour. The only consolation for the Irish student of his country's history is, that the British parliament was at this time and later almost equally vile; and that the imperial parliament of our own day, though too rich to be bought, is not too honourable; for surely there is little to choose between buying seats and selling votes.

The event which proved to the government that they had not corrupted enough, and that they had not yet in their own influence with parliament, obtained an equivalent for the influence of the Families, was the unceremonious rejection of a money bill. It had not originated in the Commons, and it was thrown out by a combination of the Castle retainers with the popular party. For nearly eighty years no similar event had occurred; the exclusive power over the purse in the representatives of the people had never been insisted on; First, because parliament had been so little of a representative body (at the best representing only the Protestants), that it had no strength or independence. Secondly, until Charlemont's time there was no leader of sufficient influence to conduct it in a successful opposition. But the house could now stand a storm from the Castle, being newly founded on the people; what had given it reality, had given it strength; and the leadership of the Earl of Charlemont (for as yet he stood alone at the head of the party) resulted in the first decided victory. The greatest indignation was excited in England at this assertion of independence. A popular journal commented upon it in terms that manifest the prevailing contempt for Ireland, and the wrathful surprise excited by this act of rebellion. "The refusal of the late bill, because it was not brought in contrary to the practice of ages, in violation of the constitution, and

to the certain ruin of the dependence of Ireland upon Great Britain, is a behaviour more suiting an army of White Boys, than the grave representatives of a nation. This is the most daring insult yet offered to government." In consequence of the house of Commons being guilty of this act of defiance, as it was considered, Lord Townshend, in declaring parliament prorogued, pronounced a severe rebuke, in the same tone, on the representatives of the nation. The lower house having forbidden the clerk to enter this speech on the journals, the Lord-lieutenant entered his protest in the house of Lords. Against such an irregular and unconstitutional proceeding five lords protested—viz., Charlemont, Lowth, Mountmorris, Powercourt, and Longford. Protest and counter-protest were of as little practical importance as such proceedings are in general; but Lord Townshend censuring the parliament of the nation would have seemed less of an anachronism in the reign of Charles the First.

As to the right of the house of Commons to reject a bill on such grounds, the theory of constitutional government implies such a right; and that Poyning's law was against them on the plain construction of its whole sense, and as it was interpreted by subsequent statutes of Philip and Mary, may be admitted consistently with maintaining it. For under the form of "heads of bills," the Commons had been allowed to originate what measures they thought fit, and under this sanction, they had uniformly been accorded the privilege of originating money bills. The exclusive and jealously guarded right of the English Commons to this privilege rests upon precisely the same basis of prescription; in their case, it is true, this prescription is opposed to no enactment, and could not therefore be represented as an usurpation; but the enactment which long prescription had set aside in the Irish parliament, was so plainly unconstitutional and anomalous, that as a dead letter it had no force against a living practice. To recall the old law amounted to an express declaration of despotic power; and the language at this time of the British parliament directly applying to America, but understood to glance at Ireland, increased the popular ferment,—nor was it lessened by a hint let fall by a member of the administration, that the money bill had been laid on as sort of fine for the renewal of parliament.

And now another interval of fourteen months was taken up by government in the silent process of corruption. This process could not be so safely or successfully carried on during the session of parliament, while the party which Charlemont led was collected together under his watchful eye, the members mutually protected by each other, and by the heat of the contest, from falling into the enemies' hands. Meanwhile Lord Charlemont, who in 1768 had married Miss Hickman, daughter of Mr. Robert Hickman, of the county of Clare, and built a residence near Dublin, called Marino, for the benefit of the mild sea air, the cold climate of the north where his estates lay not agreeing with his health, watched the progress of events during this period of armistice, and saw that the influence of the Families which the government had joined with the opposition to weaken, was leaning more towards the popular party, although too much habituated to be on the side of the administration, to take the other side at once or perhaps ever. But

still a very slight revolution at the centre showed a very great revolution at the circumference. Parliament was at length called together in February 1771, and the fruit of Lord Townshend's labours was at once apparent. This assembly of gentlemen, who had been receiving during the prorogation so many marks of his kindness and consideration, took the first opportunity—the address to the king—to thank him “for continuing his excellency, Lord Townshend, in the government of this kingdom.” It may be imagined what consternation and amazement this address produced in the Earl of Charlemont, and all those who were not carried away by their grateful feelings, and had not the same profound causes for thankfulness. Mr. Ponsonby, the Speaker, determined to resign rather than present it; and although Charlemont made great efforts to induce him to keep the chair, and spent a night in reasoning, to which the Speaker assented, he was surprised next day by his carrying out his first intention. He observed in resigning, that this lord had, “on the last day of the session, accused them of a great crime,” and the thanks appeared to him “to convey a censure of the proceedings, and a relinquishment of the privileges of the Commons.” Mr. Edmond Sexton Pery was in consequence chosen Speaker in the room of one worthy to preside over a more dignified assembly. In the parliamentary campaign that ensued, Lord Charlemont, though silent in the upper house, was the great strength and support of his diminished party. The success of Lord Townshend's administration, however, continued to show itself more distinctly. He strengthened himself in both houses—in the upper by the creation of a batch of peers he counterbalanced the growing opposition that Charlemont had marked as an encouraging sign, and in the lower by introducing several young men of talent he added to the debating power of the government. The spirited resolutions and the determined resistance of the opposition were completely borne down, and every proposal for the good of the country thrown overboard with a high hand. Charlemont's forces seemed to press the grievances of Ireland in vain; but the struggle had this good result, that it attracted attention in the English parliament, where Edmund Burke, who was first brought into notice by the Earl, already towered over almost every head. This noise of battle was so inconvenient that Lord Townshend was recalled in 1772. The cabinet perceived, that notwithstanding its temporary humiliation, the opposition was gaining in strength and popular support, and that a sympathy was growing up between it and the English opposition. Lord Townshend, who was a great wit, and played his part in a lively and audacious style, was not considered prudent enough for his post. A member of the house of commons declared that his excellency said more good things in one night than the whole house in a year.

His successor, Lord Harcourt, was amiable but reserved and studious, too refined for Irish society, and not sufficiently determined and active. But Lord Townshend had secured him a tame parliament; and his secretary De Blaquiere, who was said to be the first who ever bestowed a thought on Irish interests, kept good wine and a French cook. Whilst Ireland was thus governed troubles arose in the north. A nobleman's agent, by a most oppressive arrangement, endeavoured to increase his employer's income, and the consequence was that the Pro-



tenant tenantry threw up their farms. They sought redress by a rising, and took the name of "Hearts of Steel."<sup>5</sup> Lord Charlemont, to whom it was most painful to act against the people, keenly feeling their wrongs, was bound by his position to assist in putting down the disturbance, but his influence and conciliation did more to accomplish this result than the force which he was compelled to employ. It is remarkable that he who was afterwards the great leader of the armed nation, was the one for nearly half a century to quell these irregular outbreaks. The revolt of the Hearts of Steel led to the emigration of many thousands of Protestants to America, where they added to the growing disaffection. There the resistance that had first been excited by the stamp act in 1765, was growing on to that which the tax on tea in 1775 should at last cause to burst into civil war. In Ireland a keen sympathy was felt with the spirit which had been kindled in the States; similar wrongs and sufferings made this feeling intense. Dreadful poverty prevailed everywhere, and the mistake was made of estimating the prosperity of the country by the wealth of the mercantile community. The millions of the people barely existed, and the produce of the land was poured nearly whole into foreign markets; there was a large debt, and much of the rents were spent in England. The people were so overtaxed that the imposition of new duties could only, in the same amount that they produced, lower the old ones; and the public expenditure exceeded the taxation. It is no wonder that the Irish thought they could manage their own affairs better than this, and felt that the question that was coming to an issue in the colonies, was the question which they too must bring to an issue soon. One incident may help to show the extent of this public sentiment. When Lord Howard of Effingham, on learning that his regiment was destined for the American service, resigned his command, the City of Dublin voted him its thanks for having, like a true Englishman, refused to draw his sword against the lives and liberties of his fellow-subjects in America; and soon after the Guild of Merchants presented him with an address of a still more decided character. This guild also addressed the peers of the opposition, who, "in support of the constitution, and in opposition to a weak and wicked administration, had protested against the American restraining bills." In 1776, the embargo on the exportation of Irish provisions, except to Great Britain and British dominions not in rebellion, was proclaimed by the Lord-lieutenant and Council; this, considering the already intolerable restrictions which had reduced the country to beggary, was more than could be borne, and the Irish parliament began to show itself so intractable, that it was considered advisable to send over Lord Buckingham. This nobleman appointed as secretary his agent Mr. Heron, a man totally unequal to such a position at such a time. Great efforts were made by the new lord-lieutenant to keep parliament in hand; and we can measure the growth of Charlemont's influence in the house of lords by the necessity which the government found itself under of creating a great number of new peerages—18 of which were gazetted in one day. Meanwhile a real resolve was manifested in England to do something for the relief of Irish trade. On the motion of Lord Nugent, a committee was appointed to consider the subject in the English house of commons, and though any material relief was made im-

possible by the opposition of the mercantile interests, there was some enlargement granted in favour of the linen trade. The same liberality was shown upon a question on which happily there was complete unanimity. A general sentiment had gradually grown up in favour of the relief of the Roman Catholic gentry. To this extent, we have already stated, that Lord Charlemont, and indeed men of all parties, were willing to go. The laws against them were so atrocious that they had been permitted to fall into desuetude. The judges, to the utmost extent in their power, interrupted their operations, and the Protestant gentry connived at their evasion. But still they gave a feeling to the most respectable that they were in the power of the basest. "This species of subserviency," wrote Mr. Burke, "that makes the very servant who stands behind your chair, the arbiter of your life and fortune, has such a tendency to degrade and debase mankind, and to deprive them of that assured and liberal state of mind, which alone can make us what we ought to be, that I vow to God I would sooner bring myself to put a man to immediate death for opinions I disliked, and so get rid of the man and his opinions at once, than to fret him with a feverish being, tainted with the jail distemper of a contagious servitude." The Roman Catholic nobility and gentry in advocating their claims showed the greatest prudence and moderation; suspicion was lulled; king, lords, commons, bishops, and clergy, all expressed their concurrence; the relief bill was carried in the Irish house by Mr. Luke Gardiner in 1778, and in the English by Sir George Saville. To removing restrictions on their tenure of property—in fact all restrictions but that which excluded them from parliament, Lord Charlemont was a warmly consenting party; but as he was never a champion of the Roman Catholics, we have only noticed this measure to show how far he was able to go, and to keep events in their places.

And now the crisis was rapidly approaching; the state of Ireland made it apparent that the game of expedients was at an end. From end to end poverty, distress, and insolvency, lay like a cloud upon the land. The revenue drawn from Ireland doubled the value of her exports. While heated discussions on Irish affairs were introduced into the British parliament without result, the Irish parliament was assuming a firmer and less factious tone. In 1775, Lord Charlemont had brought in Mr. Grattan for his own borough;—but incidents from without gave the ultimate direction to events. The Irish channel was now infested with American privateers which seized on trading vessels within sight of shore. Irish traders were, for the first time, compelled to sail under convoy along the very coast, and a great part of the English trade was carried on in foreign bottoms. France, by a treaty of commerce, recognised American Independence, and made preparations for war. Irish dissatisfaction was of course calculated upon, but was not forthcoming. In her darkest hour a gleam of hope broke upon the country; brave and prudent men, not mad visionary fanatics, were her trusted leaders; the people of the north, when danger threatened before, had discovered their own strength, and felt that now, headed by Charlemont and Grattan, the safety of the kingdom, and the redress of the national grievances, was put into their power by providence. The addresses of America had excited temporary heat, but the better and more in-

fluent portion of the Irish people, while reciprocating the maxims and sentiments of freedom, and roused by the stirring sounds that reached them from across the Atlantic, had hope of better days, and confidence in wiser guides, and did not overlook the fact, that a great party in England warmly sympathised with their wrongs, and would do everything to help them in procuring redress, while rebellion would be sure to rivet their chains faster, and lose them the ground they had won with difficulty. Besides, it must be remembered, that the larger body of the people, the Roman Catholics, had not yet begun to take a part in political movements, and seemed scarcely to have awakened to political consciousness. The people who represented the nation were the Protestants, English by descent and feeling, and they bore a much larger proportion to the whole population than they do at the present day; for they had not yet, in the south and west, been blended into the Roman Catholic masses by the process of intermarriage, and by first losing their own religion, through neglect, and then in the next generation adhering to the prevailing faith. They were then strong in the land, and though much irritated against England, by no means the irreconcilables that the Roman Catholics have proved themselves since. But it is scarcely possible to say what difference it made at this crisis, having a man like Charlemont as their chief,—a leader who would lead—one of sufficient boldness to put himself at the head of a great and perhaps dangerous movement, that might bring an imprudent man to the block, and sufficient coolness and judgment to control it within just and patriotic limits. It was a moment of great and universal alarm both in England and Ireland; a French invasion was believed to be imminent; the French and Spanish fleets had appeared in the channel; the harbour of Dublin was fortified for the first time. Then it was that, when Belfast, the great commercial city of the north, applied to the government for protection, all that could be offered it was half a troop of dismounted cavalry and half a corps of invalids. This acknowledgment of helplessness, that the government could afford but 60 troopers and a few disabled veterans to defend the chief town of the north, which on a former occasion had been the point threatened with invasion, was tantamount to a commission to Belfast to defend itself, and it was instantly accepted as such. The city immediately formed a volunteer corps, the officers of which were chosen by election, and which was armed, clothed and maintained at the expense of the citizens. All the northern towns followed the example of Belfast. The town of Armagh raised the corps immediately under the command of the Earl of Charlemont; but, though not at this time formally elected commander-in-chief, he was virtually at the head of the whole movement in Ulster, as Lord Clanricarde was of a similar movement, of course on a miniature scale, in Connaught. That rude levy which, nineteen years previously, he had found garrisoning Belfast, principally armed with the Lochaber axe, commanded by self-chosen officers, and partly composed of his own tenantry, must often have haunted his memory in the interval; and now an emergency of the same kind had again called the people to arms; that wild array of peasantry, bristling with scythes, had grown into a great well-appointed army, of which he himself was the natural chief.

The rise and growth of the Volunteers was startlingly spontaneous and rapid; the government was scared, the enemy disconcerted, and in Ireland there was a deep and pervading sense that without one act of disloyalty, but with the sanction of the most honourable occasion, Ireland for the first time held her own fortune in her hands. It was natural, indeed, that the government, with a bad conscience, and not knowing the temperate spirit that would govern the results, should be dismayed to see an Irish army in possession of a country which had been held in the most abject bondage for some hundreds of years. Their feelings were much what those of jailors would be to find their prisoners in possession of the jail, or keepers at finding that the lunatics had made themselves masters of Bedlam. They could not do anything but wait, in the most serious apprehension, to see what would follow. Not only had they no means of suppressing the movement, but, having neither men nor money, they were compelled to choose between a French invasion and an armed people. To some extent they were relieved by learning, as they shortly did, the highly civilized character and loyal motives of the northern volunteers, and the rank, pretensions and property of the gentlemen by whom they were officered; but although this was a security for the peace and tranquillity of the country, it only made them tremble the more for their own corrupt and oppressive system of government, and the many abuses which they found so profitable, and indeed necessary. The only expedient they could think of to bring the volunteer army under their control, was to induce the officers to accept regular commissions, in order, it was alleged, to secure their safety in case of being taken prisoners. This pretence, however, did not deceive the officers; and it is an indication that they understood the strength of their position from the first, that commissions were at once rejected.

England now beheld on both sides of the Atlantic great citizen armies—in America as rebels, in Ireland as defenders of the country, but claiming as the price of doing so the redress of wrongs more intolerable than those which had set America in rebellion. All the nation that had any political existence was united upon two objects—free trade and a free parliament. It was in giving expression and force to those two great wishes that the volunteers won the moral victory associated with their name. With all our admiration for Lord Charlemont, with all the praise which he justly deserves for preventing them from breaking into actual revolutionary excess, and for the courage and unconventionality which he, a great nobleman, displayed, in venturing to take the leadership, we cannot help feeling that, in the hands of a more determined man, they might have been prevented from launching into the absurdities which followed, and that if their action could have been limited to maintaining the freedom they established, they might have become a great institution of the country and guard of liberty.

We must now very briefly sketch the political results of the movement, which will be more properly developed in our memoir of Mr. Grattan, who was already become the recognised leader of the popular party in parliament. The interest of the volunteers centres round the Earl of Charlemont; but in the affairs which they so powerfully influenced, everything is bound up with Grattan. The intent of our work being to



make each man tell the portion of history with which his life was most connected,—unravel, so to speak, his own thread,—we shall reserve, as we said, a full account of the parliamentary transactions of the following years for the memoir of the chief actor in them. Indeed, although Lord Charlemont continued to be the most eminent personage in his party, one who was respectfully consulted at every step, and whose advice was seldom disregarded, his prime minister, Mr. Grattan, member for the borough of Charlemont, a man whom, as well he might, he trusted beyond all men, had relieved him of the responsibility of the initiative, and placed him somewhat in the position of a constitutional monarch. We have before described him as the patron and friend of his country, rather than a devoted partizan like Mr. Grattan; and this implies that his strong patrician consciousness, his long residence abroad, and continued intercourse, until 1773, when he gave up his house in London, with the best English society, converted him to some extent into an outsider, and put him out of perfect sympathy with his countrymen. And yet a somewhat rash patriotism, which his connexion with the volunteers illustrated, blended strangely and formed a curious combination with the dignified and aristocratic tone of the peer. Such a character was necessarily wanting in vigour and thoroughness; the home-bred boy comes out in the man; and it was impossible that in the same ranks with Mr. Grattan he could continue to be the real leader, although his influence and name were indispensable to the party. During the transition period, he was, as we have intimated, for want of any sterling man in the House of Commons itself, the one who chiefly controlled the policy of the opposition; but from the point we have now reached, he rather endorsed than originated it; and in the management of the volunteers, to which he almost wholly devoted himself, he had more than enough to employ all his energies, and was in a still greater degree withdrawn from the parliamentary counsels of the opposition. The volunteer army, at its commencement, in the spring of 1779, amounted to 10,000 men; but before the end of the summer it exceeded 40,000, and Lord Charlemont still persevered in the most successful efforts to augment its numbers, improve its discipline, and accustom it to act in the field. The spirit of the country rose with the volunteer power, and Lord North's propositions for the relief of Irish trade having been defeated by the English manufacturers, whose selfishness made them disregard every consideration of fair play, meetings were held in Dublin and the other principal towns, in which it was resolved to act on Swift's suggestion, and cease to import English goods. But on the meeting of parliament, in October, 1779, the effect of the volunteer movement was brought fully home to the government. The ministerial majority had for the moment dissolved. Under the shelter of the orderly thousands of volunteers that made an imposing display in Dublin, the opposition assumed a new boldness, and the way of the wind's blowing brought all who usually sailed in mid channel over to the popular side. An amendment to the address in favour of free trade, which the government was forced to accept, was carried unanimously. When Parliament went to the Castle to present it, Lord Charlemont had lined the streets with volunteers, nominally commanded by the Duke of Leinster. From the grey façade of Trinity College, up the

long vista of College Green and Dame Street, in the midst of which stands the equestrian statue of William III., the centre of many a riot, many a fierce encounter, in later years, of town and gown, and of Orangeman and Nationalist, the thousands of the volunteers were seen drawn up in deep ranks, as far as the eye could reach. It was a grand moment of union: a moment when the love of country mounted high, and made all Irishmen brothers. There was no scornful question then, whether the address of the Irish parliament was fit to be transmitted to the king; its reception was most respectful, and the reply was of a kind to leave no doubt that it would be attended to by the cabinet. Four years later, the volunteers were making a different kind of display; and, instead of enforcing the wishes of the nation lawfully expressed by parliament, were endeavouring to intimidate parliament itself, and to make themselves the masters, instead of the servants, of the national representatives. We fear these pragmatistical and self-opinionated, but brave and patriotic northerners, from the very beginning, wanted a stronger hand over them than that of the amiable and honourable Charlemont. If that equestrian figure of the Prince of Orange could have leaped from its pedestal, there were the elements and the opportunity of a great pacific revolution, and they would have found in the man of 1688 a suitable leader. But so long as the only duty was to support the patriotic party in parliament, and stimulate the backward, Lord Charlemont's leadership of the volunteers was entirely successful. The display of force had the best effect on parliament, on the government, and on the country. The influence of armed thousands was no doubt unconstitutional; but all was unconstitutional in Ireland, and Charlemont's 40,000 bayonets only acted as a wholesome corrective to the wholesale bribery of the Castle. So much for the influence on parliament; and the coercion of government was even still more easily to be justified. Government is generally understood to be for the benefit of the governed; but in Ireland it was not so,—it was for the benefit of English trade, and for the depression of the trade of the country. It was justifiable that extra-constitutional force should be applied to make the physician cease to strangle his patient; to insist that, if England went to the bottom of the sea for it, Ireland should have justice and fair play, and should be governed strictly in her own interests. This is the only condition of amicable union between such uncongenial peoples whom nature has been so contrary as to join together, that they should each abstain from meddling with the internal affairs of the other, and be governed by their own prejudices. However demonstrable it may be that two wholly independent parliaments could not work in the same empire (see Introduction, p. 37), it must be remembered all the independence yet claimed for Ireland was that she should manage her own internal affairs. The proportion in which she should contribute to the expenses of a war, for instance, might easily have been settled by a convention, while the raising of it should have been the concern of her own legislature. But whether the national independence which the volunteers achieved for Ireland was desirable or permanently possible, they certainly abolished the system of malignant government; and this part of the work remained, for it could no more be recalled into existence than an extinct monster. Without throw-

ing off the English connexion, they reconquered Ireland; and not even the stern trampling down of the rebellion of 1798 could restore her to the condition of a conquered country.

The Irish House of Commons having passed and presented their address, amid the peals of national enthusiasm, entered on a course of proceedings dictated by the same impulse, and countenanced by the same array of national strength. They commenced by passing a unanimous vote of thanks to the volunteers, and showed their resolution to see out what they had begun by only voting the supplies for six months, and passing several important resolutions in reference to exports. These measures were attended with complete success. On the 13th of December, Lord North introduced three propositions embodying all the demands as to freedom of trade, and bills founded on these resolutions were soon passed, and received the royal assent. These concessions were received in the best spirit, and the Irish Commons gave substantial proofs of their satisfaction by granting supplies for a year and a-half, increasing the revenue, and clearing off an arrear. Their gratitude, however, was soon clouded, by the Mutiny Act being made perpetual by the English Privy Council; but in the conciliatory spirit of the moment this was allowed to pass,—a negligence for which they were severely censured. This incident is notable as being the first occasion on which the volunteers took upon themselves to sit in judgment on parliament. They had got so much credit by their early conduct, and parliament itself had made so much of their influence, that they were naturally anxious for opportunities of interfering. They continued to increase in spirit and in strength, but, at the same time, acquired too much of the character of a political organisation, in which they were unfortunately humoured by their leaders, who did not foresee the extraordinary lengths to which they would be borne on by presumption and folly. In 1781 the Earl of Charlemont was formally elected commander-in-chief, and found himself at the head of more than 100,000 men, creditably disciplined and appointed. The silent influence of a hundred thousand bayonets following the leader of the opposition in the Peers, would, if time had been allowed, have done all that was accomplished by dictation. We question if both Charlemont and Grattan were not in too much haste. The latter felt it hard, with a hundred thousand men under his friend's command, that he should be in a minority in the House, and perhaps pressed on the Earl to use his weapon, and terrify the government into yielding. The volunteers were themselves impatient of accomplishing nothing more; and Lord Charlemont seems at length to have consented to a bold course. In 1782 they assumed an attitude so imposing and formidable that all obstacles of a political nature gave way before the menace of their power. The party which was backed by their influence snatched all the fruits of victory at once; but in bringing in physical force to dictate to government and neutralize a parliamentary majority, they made physical force their master. The course to which this ultimately reduced them, was to join with their opponents to depose it from this position, and discharge it from their service altogether. The proceedings of 1782 were certainly very fine and spirited, if we put all this out of account. We must refer the reader, for the resolutions passed by a

sort of volunteer parliament sitting at Dungannon, and representing 143 corps, to our Historical Introduction (p. 11). With respect to all the resolutions, except the last, it is highly probable that they were suggested by Lord Charlemont, as in the following year the volunteers applied for instructions, in a manner that leaves little doubt that he had given them at least the outline for their first session of irresponsible legislation. The last resolution, declaring in favour of complete religious equality, was a stroke of Grattan's, by which he won the earnest support and gratitude of three millions of Roman Catholics, who had hitherto looked languidly on at a struggle in which their paramount wrongs were disregarded by both parties alike. And he who put those truly Christian words on the lips of the volunteers, for thirty-eight years defended them, threw them into a thousand eloquent forms, and at last died, bequeathing the cause to Plunket. This fact belongs to the memoirs of both men,—to Grattan's, because he was the author of the resolution; to Charlemont's, because it was proposed to the meeting of delegates without his sanction or knowledge, and caused him displeasure. He was not, as we have said, during his active life, in favour of Catholic emancipation; and this division of opinion may account for the fact that the abstract declaration seems to have sufficed for that time,—that it was not acted upon, as the other resolutions or demands were,—and that in the next session of the volunteer parliament, securing the full equality of their Roman Catholic fellow subjects was not among the subjects about which they consulted their commander-in-chief, and they passed on to quite a new topic, namely, parliamentary reform.

The proceedings of the volunteers and the language of their addresses, which breathed decidedly of a revolutionary spirit, caused the greatest alarm in England. It was obvious that one false move and Ireland would be lost. Concession of all that could be justly demanded was an absolute necessity; but yet an appearance of abject terror was equally to be avoided; and when, on Lord Carlisle's resignation of the lord-lieutenancy, the outgoing secretary for Ireland, Mr. Eden, stood up in the House and proposed, as the resource of desperation, a repeal of the 6th George II., Mr. Fox opposed the motion and administered some sharp correction. It was well understood, however, that Fox was prepared to comply; and on this arose another difference of opinion between Lord Charlemont and Mr. Grattan,—the former being inclined to give the minister time and allow him to yield with dignity, the latter being resolved to press him to the utmost. Mr. Grattan had his way; and here we see another illustration of the political mastery which he had established—necessarily, perhaps, from his being in the House of Commons, while Charlemont was in the House of Lords; but we can also understand why the older leader would be delicate in asserting authority over one who sat for his own borough. The opposition did therefore press on, and Mr. Fox felt the responsibility was too great to be trifled with; and so full acquiescence in the demands of Ireland was extorted from the ministry, and unanimously agreed to by all classes in England, under the pressure of necessity. The result belongs to the memoirs of the parliamentary leaders Grattan and Flood; suffice it here to say that by the repeal of the English acts that put it in subjection,



the Irish parliament was at once placed in a position of unqualified independence, and all was triumph and congratulation. The volunteers of Ulster and Connaught published loyal addresses; the universal feeling of enthusiasm, as usual, found eloquent expression; indeed we cannot help thinking, that in the popular documents of that day in Ireland, there was a purity, combined with a force of language, the art of which has been somewhat lost in that country. But the spirit of mutual congratulation died out, and the volunteers set about looking for more work. Heated by strong zeal, and with an exalted opinion of their own wisdom, they began to conceive that they stood in a sort of preceptorial relation to the parliament in Stephen's Green. They had to make laws for parliament to register, and very greatly they were exercised to find out what they should set before parliament in the next session. In the spring of 1783 they began to hold meetings, in which strong resolutions were passed in favour of reform; and in July a committee of delegates met in Belfast, and sent letters to Lord Charlemont, as well as to the Duke of Richmond, Mr. Pitt, and other members of the British administration. In that addressed to Lord Charlemont, the following passage announced the extent of their views:—"We have yet another favour to request, viz., that your lordship would inform us whether shortening the duration of parliaments, exclusion of pensions, limiting the number of placemen, and a tax on absentees, or any of them, be, in your lordship's opinion, subjects in which the volunteers of Ireland ought to interfere; and we earnestly request that your lordship may favour us with a sketch of such resolutions as your lordship would think proper to be proposed at Dungannon." The foregoing amusing passage, which overlooks the existence of any other body of law-makers except themselves, and in which presumption rises to a height almost sublime, must have been received by the volunteer commander-in-chief with perplexity and uneasiness. If a sort of Pride's purge was to be administered to the Irish parliament and government, everything was ready to hand; all that was required was boldness and determination in the leader—a freedom from all scruples and from all regard for the paths of precedent. A man who comes to rob a garden must not be afraid to tread on the flower-beds. Lord Charlemont had already used his army to force from the government freedom of trade and independence of parliament, and had done this in spite of a parliamentary majority. But he could not rise altogether above his regard for the privileges of parliament—and having just made it free of the English legislature and Privy Council, he was not willing to hand over its power into the custody of the committee of delegates; and in truth he was probably beginning to see that meddling with legislation was too tempting a pursuit for the class of persons with whom he had to do, who acquired from it, in their own eyes, a supernatural degree of importance. He was beginning to see that they would go on from step to step acquiring a larger view as they advanced, and a stronger appetite for change, and having brought them so far as he would, he should himself be dragged whither he would not. That in fact he must become a revolutionary leader, willing to plunge all things back into chaos on the chance of their settling down into their primeval goodness, or now, where he was, having set an independent

parliament in train to work all needful reforms, make a stand against the external force—the creative power, as it were, that had been called in—and insist on its leaving society to the operation of the general laws which it had so happily established. Having made a machine to go, it was childish to keep moving the wheels. So Charlemont thought, and so his parliamentary friends thought. The volunteers had passed beyond Mr. Grattan, and had gone on with Mr. Flood. They evinced, indeed, a decided preference for the more extreme counsels of the latter. All this worked with Charlemont, who returned to the letter of the committee a manly and moderate answer. He expressed a general concurrence with their views of measures, but reminded them that the questions to which they alluded were already in competent hands, and advised them to confine their addresses simply to the general desire for parliamentary reform. But the expression of a general desire was not all the degree of action which accorded with the notion entertained by the volunteers of their own functions; and undoubtedly the time had come to take a more decided course, and to put an end to their political meddling, instead of advising them to confine it to this or that object. Only two wise courses were open to Charlemont; both were bold; one was to be a dictator at the head of his army; the other was resolutely to use his authority to confine the volunteers to their drill; to insist on their gatherings being limited to field-days and reviews; but he was lacking in decision, and steered a middle course. On the 8th of September, 1783, 500 delegates representing 248 volunteer corps of Ulster, assembled in Dungannon. Thirteen resolutions were passed, the nature of which may be conjectured; we need only say that it was resolved to hold a general convention of delegates, five to be elected by each county, in the Royal Exchange, Dublin, on the following 10th of November, to digest and publish a plan of reform, and that the delegates were recommended in the meantime to collect information, while members of parliament were advised to withhold their consent from supplies being voted for more than six months, until this scheme should be developed for them by the “grand national convention.” The plan was to be “produced as the solemn act of the volunteer army of Ireland.”

On the 10th of November the convention met, and elected Lord Charlemont president. He has himself explained the motives that prompted him to the acceptance of that office. “The same reason which had induced me to accept the nomination from Armagh, and to persuade many moderate friends of mine, much against their own wishes, to suffer themselves to be delegated, namely, that there should be in the assembly a strength of prudent men, sufficient, by withstanding or preventing violence, to secure moderate measures, induced me now to accept the troublesome and dangerous office of president, which was unanimously voted to me. Another reason also concurred to prevent my refusal. The Bishop of Derry,” (the Earl of Bristol, a man of a character violent and eccentric, and of strong democratic opinions, that in a bishop passed for madness,) “had I knew done all in his power to be elected to that office, and I feared that if I should refuse, the choice might fall on him, which would indeed have been fatal to the public repose.” The Corn Exchange not being large enough to contain the convention, it was agreed to adjourn to the Rotunda; and a great semi-military display

was made through the streets in passing from one building to the other. Lord Charlemont led the way, attended by a squadron of horse, while the delegates, marching two and two, followed in long procession. The convention immediately resolved itself into a committee on the subject of reform, and Mr. Brownlow, a man of discretion and that weight which is given by large possessions, was appointed chairman; but although supported by the soberer and more sensible part of the assembly, the president and chairman were unable to prevent several resolutions from being carried of which they strongly disapproved. When the various schemes of reform were unfolded with which every presumptuous would-be legislator had come provided, we can easily imagine what a mass of crudity, ignorance, and folly, was collected together for digestion and discussion. Indeed we should fancy that a sensitive and cultivated gentleman like Lord Charlemont must have found the position most excruciating, and was probably heartily ashamed of the mock parliament over which he found himself presiding by an unhappy destiny. At length, after great labour, the convention gained an insight into its views on reform, and Mr. Flood, who was induced, by motives we cannot here discuss, to make himself its servant, brought in a bill on the 29th of November, 1783, to carry them into effect. The delegates omitted nothing that on their part could add weight to the orator. They crowded the galleries and passages in their uniforms, and listened in stern impatience to the discussion that ensued. The house, resentful and impatient, refused even to entertain a measure thus originated and enforced. "We sit here," said the attorney general, "not to register the edicts of another assembly, or to receive propositions at the point of the bayonet." Both sides concurred in refusing to admit Mr. Flood's proposition, and a resolution was passed strongly condemnatory of such interference. Poor Lord Charlemont meanwhile was presiding over the convention; and after two hours, receiving no intelligence, and having probably strong reason to suspect what was taking place in parliament, he prevailed on the delegates to adjourn until Monday. On Monday the convention met in a state of extreme resentment and mortification; they had been placed in a ridiculous position—and men thus placed are often led to give a very serious turn to affairs. Charlemont was full of apprehension of what might ensue; but when an orator stood up to harangue the assembled delegates upon the insult put upon them by the Commons, he was prepared with a suggestion which showed how much, even still, he could reckon upon their imperturbable vanity. Just as one might humour a party of madmen whose delusion consisted in fancying themselves a parliament, he reminded them of the custom, that nothing said in one house was noticed in the other, and hoped that they would act upon this established parliamentary rule. By thus humouring them, and by exerting all his influence and discretion, he with difficulty prevented their taking some desperate resolution; and his task was rendered all the more difficult because the volunteers were encouraged by Flood, who held a high command under Charlemont and Grattan, and whose rhetorical powers gave him a strong sway over men already fired into more than the ordinary heat of factions. After the display of much violent feeling, the temper and discretion of Charlemont at length prevailed in bringing

back the meeting to their original object, and after some motions in favour of reform, and a short address had been drawn up in vindication of themselves, and the motives of their conduct, they consented to an adjournment *sine die*.

From this out, the volunteers declined; the government followed their motions with a vigilant eye, and took advantage of each unwary step; the institution of the fencible regiments thinned their ranks, and deprived them of their best officers; the moderation of one part divided them from the violence of the other; and they soon ceased to be formidable as an army, and were reduced to a factious party which the better part of their own leaders lent a hand to repress. But to the latest hours of their existence they were watched over by Charlemont with an interest which must have been mingled with regret, as he observed their decline, and remembered the part they had played in '79 and '82. We find him, even to the year 1790, paying frequent visits to the north to review his corps; and, probably, so long as his health permitted him to give them this countenance and support they continued to exist.\* To the last they were an object of suspicion and dislike to the government, and, but for the fear of giving the old movement a new impulse, their natural decline would have been hastened. As to Charlemont, we cannot help fancying, that having stood on the brink of the revolutionary precipice, and looked down, for a time at least he retreated from his advanced politics, and even threw an arm round government. The great danger he had escaped certainly modified his opposition, and he accepted two honours from successive Lord-lieutenants, which he would, there is little doubt, have rejected at an earlier period. Lord Temple, who rightly appreciated the character and position of Charlemont, wrote to ask for his support; and in the stern and unsparing reforms which he himself carried into every branch of the executive—reforms so much appreciated that on his departure he was escorted to the place of embarkation by the volunteers, who lined the streets through which he passed,—Lord Charlemont lent him, as may be supposed, the most cordial assistance. From this nobleman he accepted the riband of the order of St. Patrick, an order which was founded during his lord-lieutenancy. Lord Temple's successor, Lord Northington, to whom he also rendered much valuable assistance, was so impressed with the disadvantage of his not occupying a seat in the privy council, that he pressed him to accept that honour—an offer accepted by Lord Charlemont on the condition, which was at once complied with, that it should also be conferred on his friend Mr. Grattan. Many other offers and advances were made to him at different periods of his life, which he found it a delicate and embarrassing duty to decline; for his position compelled him while sometimes supporting government in measures he approved, at other times to give them the most uncompromising resistance. The strong point of his character was, that though not always knowing where to make a stand, he was never swayed by popular flattery, or the desire to do the popular thing, from what his conscience dictated; while he was equally proof against the flattery of his equals and influ-

\* Mr. Massey, in his history of the reign of George III., erroneously states that in the year 1785 they had quite disappeared.



ence in high places. He was tender and sensitive, and often in private felt the painful embarrassment of his position; but in his public conduct and language he showed at all times a noble and commanding front, serene, unswerving, and unshaken.

In 1786 Lord Charlemont was elected President of the Royal Irish Academy, an honour which he no doubt valued more than any the government could bestow. This institution, founded in the preceding year—a child of the University of Dublin, of which its earliest working members were fellows, has done more than anything, with the exception of the University, to raise the character of Ireland and Irishmen among the civilized nations of Europe. It was the first successful attempt of literary and scientific men to establish some centre for communication and concert, in which the various subjects of human inquiry might throw light upon each other, and be seen in their mutual relations and relative proportions. Lord Charlemont contributed two essays to its transactions; one to prove from the works of the Florentine Fazio delli Uberti the antiquity of the Irish woollen manufacture, and another on the custom by which in the island of Lesbos the rights of primogeniture are by a curious freak held by the eldest daughter. While upon the subject of his literary performances, we may mention that he published an annotated edition of the Sonnets of Petrarch. The only important political question in which we find Lord Charlemont, as he advanced in years, taking a very prominent part, was the Regency question in 1788. In the following year the members of the opposition met at his house; and it was he who moved the address to the Prince of Wales, asking him to take the regency of Ireland. He afterwards went over with the Duke of Leinster, and presented the address to his Royal Highness. In later life Lord Charlemont joined more freely in social intercourse with the political circles of Dublin. A very different class of men were now in parliament from the wretched crew that filled its benches when he first began to take a part in affairs. None had contributed more to give a high tone to at least a large body of Irishmen, than Lord Charlemont himself. It was about this time (1789) that he exerted himself in the formation of a Whig Club—a sort of revival of the “Monks of St. Patrick.” Lord Charlemont was always a constant attendant in the Irish House of Commons, but in his old age, when his friends were in the full strength of their eloquence, it was usual to remark that he was more a member of the Commons than of the Lords. The pleasure he derived from the frequent displays of successful wit and the best style of Irish eloquence, must have in some degree compensated for the disquietude caused by the gloomy course of events which gave occasions for that display. In the country, and particularly in that part of it for the tranquillity of which he was responsible, those wretched quarrels about nothing, and on that account all the more bitter and inappeasable, again called for his lordship’s interference. His influence was still potent, and his name, unconnected with faction, was respected by all; he therefore felt himself bound, though little equal to the exertion, to take a part in putting down the disturbances. The Peep o’ day Boys (Protestants) and Defenders (Roman Catholics) drew from him a bitter reflection, on the inconsistency of those who a few years before were proclaiming religious equality and the brotherhood of all

Irishmen, and now were cutting the throats of those they had so lately proclaimed their brothers. He himself, though at the time disapproving of that declaration, was at last converted by the reasoning of Plunket. After a long conversation in reference to a nomination to the borough of Charlemont, the reasonings and eloquence of the young advocate prevailed, and Charlemont acknowledged to a friend, "Plunket has overcome an old prejudice." In 1791 a most unmerited insult was offered him by the Irish administration, who resented his public conduct, by separating into two the lord-lieutenancy of Armagh—which had been for more than a century in his family,—and this without even the courtesy of a private intimation. Lord Charlemont thought it due to himself to resign; and this act drew out a warm expression of feeling from a large body of the freeholders.—"Your Lordship," they said, "was governor in times rather more perilous than the present—in times, shall we say, when the kingdom had no government, or none but that received from the strength, wisdom, and spirit of the people, so often, and with such zealous integrity, informed, advised, and led by your lordship." In 1793 Lord Charlemont had the misfortune to lose his second son, a promising lad of seventeen. The darkening of the times, combined with this domestic affliction, and fast failing health, to break down the old lord. He beheld the symptoms of national confusion extend from the French capital as a centre, and spread like an eclipse over all the surrounding shores. At last, when the mischief broke out, he hastened to his post as he had often done before, and saw the rebellion pass over Ireland, and most of the work of a noble life undone. And then came the political consequence, the project of the union, against which, with that true band of friends and patriots with whom he had acted through so many vicissitudes, he took an earnest part; but he lived long enough to see inevitably approaching, the complete and final loss of Irish independence, for which he had adventured so much and laboured so long. The protracted agitation of spirit and nerve kept up during this exciting struggle, completed the break-up of his constitution. He expired on the 4th of August 1799, in the 70th year of his age.

## HENRY FLOOD.

BORN A. D. 1732.—DIED A. D. 1791.

It is difficult to trace satisfactorily to their English original, families long settled in Ireland; and as, by becoming settlers, they adopted a new nationality, and completely severed all ties with their English relations, it is unnecessary to go back with our researches beyond their arrival and settlement. Of course it may be assumed that the settlers bettered their position by the change; and in an uncivilized country took a higher rank than they had held in their own. It is not therefore surprising that in most cases no exact information should be forthcoming, as to English ancestry; and that beyond the founder of the family in Ireland, the attempts to establish a genealogy should be in most cases obvious guesswork. With this proviso we may state, that Mr. Flood's family is said to have dwelt in Kent; and that a cer-

tain Sir Thomas Fludd, claimed as a direct ancestor, was warden of the Cinque ports, and bore other offices of trust and honour, under Henry VIII. and Elizabeth. We feel on firm ground when we come to Mr. Flood's grandfather, Major Francis Flood, who served in Ireland with his regiment in the wars of the Commonwealth, and married a Miss Warden, heiress of considerable estates in the county of Kilkenny. Three families descended from this marriage, settled respectively at Farnley, Floodhall, and Paulstown. The eldest son, Warden Flood, owner of Farnley, went to the bar and became chief justice of the King's bench. Of two sons and a daughter, Henry only survived, and thus became sole heir; and although certain informalities in the union of his parents afterwards led to a verdict of illegitimacy, his father had fortunately taken the precaution of settling Farnley upon him at his marriage. He entered the university of Dublin at the age of sixteen; but the prospect of being rich without effort, prevented him from paying much attention to his studies. Idle, clever, well-off, and the son of a chief justice, he was of course taken up by the fast and dissipated set in the university, who corrupted his morals, and starved his fine natural abilities. After three years of this training, which would have done less injury to a duller lad, his father removed him to Oxford. By that time the moral harm was irreparable, and had been firmly knitted into his character; but under the care of Dr. Markham, afterwards archbishop of York, a good classical scholar, and a man of great worth, he made a new start in respect of his studies, and became an industrious reading man. Probably the contact with a higher class of associates than he had hitherto found convinced him that untrained genius could not compete with well-cultivated abilities and extensive knowledge, and acted as a strong stimulus to one so full of ambition and self-love to exert himself vigorously. The same disposition that made him in Dublin endeavour to shine among rakes, here made him strive to shine among men of character and attainments. It is not we believe doing Mr. Flood injustice to say, that vanity rather than ambition was his ruling passion; at this part of his life it redeemed him from a course of dissipation; but such a motive never makes a noble career in the end. During his residence at Oxford, he endeavoured to improve his great natural power of language by making translations from the Greek and Roman orators; Demosthenes seems to have been his particular study; and the excellence of his translations and the merit of some poetical effusions, show that his taste and classical proficiency had attained already to a considerable growth. After two years he graduated and entered his name in the Temple, where several succeeding years were spent in steady and persevering study of the law. During the administration of the Duke of Bedford, he returned to Ireland to stand for his own county; but though he succeeded in being returned to parliament, he wisely abstained from taking a part in the debates, until he should have mastered the details of business, and the usages of the house. We wonder at this reticence in Mr. Flood; particularly remembering the precipitancy with which, when his judgment was more matured, he rushed into debate in the English House of Commons. The dissolution of parliament soon followed his election; but he received the help of many influential friends—Lord Charlemont among

the rest—and was again elected for the county of Kilkenny. The first opportunity which he took of joining in debate was on the occasion of a motion in 1761, that the Portuguese, then at war with Spain, might be permitted to raise six regiments of the Roman Catholic persuasion in Ireland. We have already alluded to the debate; the mover was Mr. William Gerard Hamilton; and his speech was that single great effort of eloquence\* on which his fame rests, and on the record of which, for some inexplicable reason, one is perpetually stumbling. Among those who replied, Mr. Flood was the most applauded; he spoke from the opposition benches, and attacked the whole administration of the government with so much severity as to call forth lively demonstrations of popular approbation and ministerial resentment. In the same year in which he made his successful *debut* in parliament, he was fortunate enough to marry into the Beresfords—the greatest of all the Families—one which to a late period monopolised a large proportion of the public patronage of Ireland. It will be remembered that it was with a representative of this house, the Commissioner of Broad Streets, who was at the head of all the jobbery in the country, that Lord Fitzwilliam long subsequently had the temerity to engage in a trial of strength, which resulted in his being driven from the lord-lieutenancy. Lady Frances Maria Beresford brought Mr. Flood, besides connexion, a large fortune. Indeed, with this marriage prosperity seemed to flow in upon him from all sides; his father, as before mentioned, settled on him the family estates; and his uncle left him a bequest that put him in immediate possession of a very considerable sum of money. Mr. Flood's ambition or vanity was now satisfied for the time by the dignity and importance attaching to the position of a wealthy country gentleman. He retired to Farnley with his wife, and spent, we may conceive, the most enjoyable portion of his life in country pursuits and literary idleness. There he formed the centre of a distinguished and cultivated society, such as was not then to be found in other parts of Ireland. Henry Grattan and Sir Hercules Langrishe were among the number of his associates and friends. The marriage of Mr. Grattan's sister to Mr. Bushe of Kilfane made him a frequent visitor in that part of the county of Kilkenny. Between him and Mr. Flood a close intimacy soon commenced; they entered together into the study of politics and oratory, in both of which Mr. Flood had already attained to the proficiency of an adept. They wrote and communicated their compositions to each other; they argued and often contended together in formal harangue. Private theatricals, which had long been fashionable in the most distinguished circles of society in Ireland, were introduced at Knocktopher (Sir H. Langrishe's residence), Kilfane, and Farnley; and the principal parts were acted by persons soon to occupy the most conspicuous places in the history of their time. Private theatricals formed a very marked feature in the social life of that period. Upon one of these occasions Mr. Flood acted Macbeth to Mr. Grattan's Macduff, from which it may be inferred that Mr. Flood exceeded Mr. Grattan in dramatic ability, as much as

\* See a suggestion with regard to this speech in our life of Edmund Burke.



he was himself excelled by the latter in originality of mind, and the true, as distinguished from the mimic, fire of eloquence.

An unhappy event marked this period of Mr. Flood's life. On the occasion of the new election which took place after the passing of the Octennial bill, he had an unfortunate quarrel with Mr. Agar, his colleague in the representation of Callan. It terminated according to the barbarous custom of the day, in a hostile meeting at Holyhead, in which Agar was slightly wounded. Mr. Agar, who was the challenger, was vexed at having missed Flood, and soon after challenged him to a second meeting. The following letter was written by an eye-witness of this fatal duel, and contains the fullest as well as the most authoritative statement we can offer.

*Mr. Bushe to Mr. Grattan.*

September, 1769.

MY DEAR HARRY,—I must postpone everything to inform you that on Friday last a duel was fought between Harry Flood and Mr. Agar, the elder, in Dunmore park, near Kilkenny, in which Mr. Agar was unfortunately killed. As Mr. Flood was not the challenger, and as it was out of his power to avoid it, he has nothing to reproach himself with. The cause was a case of pistols belonging to Mr. Agar, which one Keogh lost at Burnchurch, in the riot, about ten months ago. I hear that the unfortunate gentleman had often asked Mr. Flood about them, who always "said he had them not, and was not accountable for them." But on Friday they produced a challenge, to my great surprise; for if there was any offence, it was as much an offence any day these ten months as it was on that day. They stood at about fourteen yards asunder. Before they fired, Mr. Agar questioned Mr. Flood about the pistols in a threatening and offensive manner. Mr. Flood answered, very deliberately, "You know I will not answer you while you ask me in that manner." Mr. G. Bushe, who was Mr. Flood's friend, said something to Mr. Agar to induce him to ask in another manner, and not to bring such an affair upon himself so needlessly,—but without effect. He laid down one pistol, and rested the other on his arm to take aim. Both Mr. G. B. and Mr. Roth, his own friend, called on him to fire fairly.—N.B., besides the unfairness of using a rest, it was particularly unfair at that time, for Mr. A. had proposed they should stand alongside a quickset hedge, but Mr. Roth declared *there should be no leveling*. Upon their calling out he desisted and took another posture, and fired first, and missed. He then took up his other pistol, and then said to Mr. Flood, "Fire, fire you scoundrel!" Mr. Flood thereupon presented his pistol, which he held all this time with the muzzle turned upwards, and shot Mr. A. through the heart. Mr. A.'s left breast was towards him, Mr. A. being left-handed. He expired in a few minutes afterwards, without speaking anything articulate.

This unfortunate event rendered it necessary that Mr. Flood should stand his trial before he could appear in public. The delay which occurred before this mere formality could be got over was attributed

by some to a design of the Castle authorities to keep him out of the way while some important questions were before parliament; but it was really due to his not being able to obtain a special commission, and being obliged to wait for the ordinary spring assizes. Lord Charlemont, who interested himself on Mr. Flood's behalf, thus explained the obstacle:—"I spoke [to the Chancellor] of your letters as very sensible and ingenious, but think that you a little mistook Blackstone. The writ *de malo* relates to a commission of gaol delivery; but that which you desire is a commission of oyer and terminer." At last, however, it was supposed that the compliance of the legal authorities was secured, and Lord Charlemont wrote to Flood, saying that the judges were likely to be Henn and Smith, as the two juniors, and asking if he would prefer others. So much was a trial for such an affair regarded at the period as a mere formality, to be disposed of as easily and pleasantly as possible, that this tampering with justice was not considered dishonourable, even by such a scrupulously honourable man as Charlemont. However, Flood was not such a favourite with the government that they were disposed to allow this cumbrous machinery to be put in motion to facilitate his early return to public life. The commission was not issued, and he was tried and acquitted at the spring assizes in Kilkenny (1770).

By this time, as may be inferred from the supposition that the government desired to keep him out of the way, Mr. Flood had re-embarked in his political career,—being no longer satisfied by the position, which had at first contented his ambition, of a county magistrate. He had already acquired the reputation of being the best speaker in the Irish house of commons, and as the parliamentary reports were then mere outlines of arguments, only a few expressions of peculiar force being preserved of the language, we are obliged to found our judgment, to a great extent, upon the opinion of contemporaries. We shall quote from a sketch attributed to his friend and neighbour, Sir H. Langrishe, which thus describes his perfections:—"Indeed, upon whatever subject this champion of our liberty speaks, he does so with so much knowledge, accuracy, and perspicuity, that one would imagine *that* subject had been the particular and chief object of his inquiry. Does he make calculations?—What mathematician more exact? Does he plead his country's cause?—What breast does not glow with patriotism? He seems nearly to approach that great original Demosthenes—whom he so well understands. He has all his fine brevity and perspicuity." If this praise appear somewhat exaggerated, we must remember that parliamentary eloquence was then new to the Irish house of commons, where it was only beginning to be cultivated by a few eminent members. There is nothing that a despotic government abhors so much as eloquence, and it was a good sign for the country when it began to be displayed in parliament. Mr. Flood was therefore regarded with extreme aversion by the powers of darkness at the Castle, and with marvel and delight by the patriotic among his countrymen, who were never tired of praising him. In rather a backward state of public taste, no fault could be found with his style—he was a very Demosthenes; but when he came to the light—when he spoke in the English house of commons, or even contended

with Henry Grattan in the parliament at home, he was seen in his proper dimensions—a very eloquent speaker, but not a Demosthenes.

Towards the latter end of Lord Townshend's administration it was harassed by numerous literary attacks, among which may be distinguished a collection of satirical pieces, published under the name of "Barateriana," of which the idea was taken from Don Quixote, the lord-lieutenant being represented in the character of Sancho. This was the joint production of Langrishe, Grattan, and Flood. The letters which have been clearly ascertained to be Flood's, display great command of topics and ingenuity in their manipulation to serve the writer's ends—but they clearly show that he was *not* Junius—though written in plain and undisguised imitation of that writer's style, and sufficiently close to make Mr. Flood's admirers fancy him to be the author of the famous letters. A comparison of the two styles shows a marked inferiority in the use of the same weapons in Mr. Flood's composition, and that the two writers lived in different worlds of sentiment and habitual association. The Junius mystery has been elucidated; and we only notice this studied resemblance, to point out as a characteristic trait the pains taken by Mr. Flood to make his friends suppose him to be Junius.

In 1773, he paid a visit to England, and was received in political circles with much distinction. He entered on this occasion into some negotiations with Lord North, which were of course supposed to have a patriotic tendency—perhaps, as was said, to impress on the English minister views favourable to Irish commerce, or to recommend a tax on absentees. It may possibly have been owing to the good impression which he produced on the head of the government, that in 1775, when Lord Harcourt was lord-lieutenant, he was pressed to accept the office of vice-treasurer, one of the highest and most profitable under the crown in Ireland. After a seemly demur and considerable negotiation he yielded his consent—a step by which he irrecoverably lost caste, alienated his friends, and exposed himself in after years to severe and galling attacks. Mr. Flood, when he returned to the popular party, like most converts (in whom the impulse of conversion levels all moderation), went to the furthest extremes, more than regaining his old popularity with the multitude; but he never was fully forgiven by his friends. The gloss which he put upon his acceptance of office failed to satisfy any one but himself; those who knew his inmost thoughts, and were best qualified to form a judgment on his conduct, thought very badly of it. No man knew him better than Grattan; and his celebrated invective in 1783, brief as it is, could neither be added to nor subtracted from to make out a case of unprincipled desertion, unexampled in the leader of an opposition. The excuse which Mr. Flood offered was, that by joining the government he was in a better position to serve his country, than by continuing to lead a hopeless opposition in the house of commons;—but this is the usual plea of deserters, and one which, if credited, would make the desertion of party an act of heroism. In some men we might believe it to be so; the whole life will sometimes carry off an action which viewed alone would be deemed discreditable; but Mr. Flood did not inspire those who knew him most intimately, or who have looked at him from a distance in the lens of history, with a confidence that nothing could shake. On the contrary, he had the misfor-

tune to impress those members both of the government and of the opposition, who were in the habit of transacting business with him, as a politician on whom they could place little or no dependence.\* Mr. Secretary Orde described him to Mr. Pitt in his private report, based no doubt upon experimental knowledge, as the most unprincipled man he had ever met. It may happen, however, that he has been too hardly dealt with; we must correct the estimate of a government secretary by remembering that Mr. Flood had but lately abandoned the government, while Mr. Grattan's invective was in reply to an insulting attack. It is probable that Flood, with his usual vanity, really thought he could make himself master of the policy of the government he joined, —and that those whom he left indignant would soon see the good effects of his apostacy, and acknowledge that he had done well. If, on looking at the result, we see that his conduct in accepting a lucrative office did lead to actual good, it would be but fair to allow that such good may have been foreseen and intended. We believe that he made certain stipulations in taking office; and in the council he lent his aid to obtaining a limited mutiny bill, the rejection of altered money bills, and the important concession that those which proceeded from the privy council should not be defended by the Crown. The office of vice-treasurer had never before been held by an Irishman, and this was one of Mr. Flood's alleged reasons for accepting it, to establish a precedent for his countrymen; we think, however, that his defence would have been better without this addition, as the advantage of one office more for place hunters was wholly disproportionate to the sacrifice of political inconsistency; and to see great reasons backed up by little ones is apt to excite distrust.

In the same year (1776), lord Harcourt's government was further strengthened by the acquisition of Mr. Hussey Burgh, who was raised to the office of prime sergeant. From this office Mr. Hutchinson, another who had been lured over from the opposition several years before, was now translated to the provostship of Trinity college, Dublin, —probably to prevent his retracing his steps. The Earl of Charlemont, shocked and grieved at the secession of two such distinguished followers as Flood and Burgh, expressed clearly but kindly his opinion of the step which the former was about to take, in committing himself to the stream of influences so charged with imputation and seduction. Lord Charlemont's biographer, Mr. Hardy, whose work was published in 1812, has affirmed that from this period there was an entire cessation of intercourse between the earl and Flood; but the correspondence published in 1820 shows that they still maintained without any breach a cordial intimacy. But though the step which Mr. Flood had taken did not make Lord Charlemont drop his acquaintance, or cease to address him in terms of affection unusual among men, it of course severed them politically. Lord Charlemont's brother having been lost in the passage from England, the borough which he had represented would under previous circumstances have been offered to Flood; but as matters stood, this was impossible; and thus Grattan was introduced to parlia-

\* Mr. Massey calls him "one of the most factious and unprincipled members of that factious and corrupt assembly."



ment by the defection of his former friend and future rival. It is curious to observe how the interests of these two men clashed from the very beginning of Grattan's public career. Mr. Flood held office under the administrations of Lords Harcourt and Buckingham. In 1780, the volunteers having won their first great moral victory in the preceding year, and the tide being evidently on the turn, he made the discovery that his opinions did not coincide with those of the government, and accordingly resigned office. When parliament met he stood forward, without hesitation, in the character of an opposition orator; and he was complimented by Mr. Ponsonby, "who rejoiced to see the right honourable gentleman, after an eclipse of seven years, burst forth in such a blaze of eloquence." Grattan and Burgh (who only remained with the government for one year), "ran across the house and embraced him," the latter declaring that this was the man whom the highest office in the land could not corrupt.

To Mr. Ponsonby's congratulation Mr. Flood replied,—“The honourable gentleman has said that I am emerged from a seven years' eclipse. It is true, I supported Lord Harcourt's administration; but was I eclipsed, when on several occasions I went not with them, and stated my reasons for not doing so? I also supported Lord Buckingham. On that eventful day when a free trade was demanded was I eclipsed? When a bill of rights was the subject of debate did I shrink from the question?” Mr. Flood no doubt thought that having emitted occasional rays of his former light he had been simply under a cloud; and that when it was his pleasure to shine out again with his original brilliancy, other lights which had ruled the dark interval should pale before his brightness. He had been leader of the opposition when he left it, and on coming back he found Henry Grattan occupying his old position, and not at all disposed to retire in his favour. To outbid Mr. Grattan immediately became a necessity to his vain nature, and the opportunity soon presented itself. We have already spoken of the repeal of the 6th George I., and the other accompanying acts of concession, which gave independence to the Irish legislature.—An address was proposed by Mr. Grattan expressive of the consent and acceptance with which the measure was received by the Irish house of commons. To this address Mr. Flood proposed an objection, which led to a warm and interesting debate. The offer of the government went no further than a repeal of the obnoxious statute; Mr. Flood contended for a declaratory act expressly renouncing on the part of the British parliament the right of legislating for Ireland. It cannot be denied that this was necessary to make the independence of the Irish parliament as secure as it was complete; Ireland might not long be in a position to dictate terms; in the mere silence of statute law there could be no security against the recurrence of similar usurpations, nor was there as yet any certain proof that if the British parliament should regain its supremacy it would not make the same flagitious use it had formerly made of it, to cripple Irish trade, and govern in the interests of English manufacturers; unless on the supposition of a fraudulent intent, an express renunciation could add nothing to the concession, and it was assuredly the proper complement of the repeal of the statute asserting this misused supremacy; but at the same time we think that Mr. Flood, even against his own judgment, ought to have deferred

to the opinion of the younger leader who had already obtained so much without his help,—and who, having used his victory as far at the moment as he thought generous, had a difficulty which Mr. Flood could not feel, in immediately asking for more. When Lord Charlemont had wished to give Fox time, knowing that he had the best intentions, but was in a position of difficulty, Grattan had insisted on the instant repeal of the statute of supremacy. Having exacted this, he felt the generous compunction of the victor, and wished to show some consideration for a friendly government which had just made a considerable surrender; but Mr. Flood, coming up at the end of the fight, and seeing his former friends down, cried out, to have no mercy on them, and to push to the utmost the victory in which he had no part. This placed Mr. Grattan in a painful position. On the one hand he was unwilling for the time to press the government further; on the other, he was aware that in opposing Flood's motion his conduct would be ascribed to envy, and his moderation set down by unscrupulous opponents as treachery to the popular cause. None felt more sensitively than Mr. Grattan what the people thought of him; but no man ever allowed it to affect his judgment less; and though, to be misinterpreted and reviled by his countrymen nearly broke his heart, he endured to be misinterpreted and reviled rather than swerve one step from the path his conscience dictated. In this he was the opposite of Mr. Flood. Both loved popularity; nothing is more ignoble than to despise it; but one regarded it as an end, the other as an accident. Hence Mr. Grattan firmly opposed the increased demand, and though, for so doing, he was subjected to much misrepresentation and unpopularity, he had a sufficient following, combined with the government forces, to defeat it for the time. But though Mr. Flood was foiled at first, circumstances arose which enabled him to carry his point. A few weeks after the repeal of the 6th George I., Ireland was named in a British act which laid some restraint on the cotton trade. A decision by Lord Mansfield on an Irish writ of error, brought into prominent notice the appellate jurisdiction of the English house of lords. The case decided by Lord Mansfield had, it is true, been lodged before the repeal of the statute of supremacy. But, in giving his decision, his lordship asserted the right on more general grounds. He alleged, "that he knew of no law depriving the British court of its vested jurisdiction." It was ill-naturedly said, that Lord Mansfield's anxiety to retain the jurisdiction was occasioned by his investments in Irish mortgages, from which he obtained a higher per-centage than was procurable by English investment; and if so, it is curious to be able to trace great political changes to so mean a cause. Soon after an act was passed in the British parliament regulating the importation of sugar from St. Domingo to all the king's dominions in Europe; and this act which, whether intentionally or inadvertently, had a constructive application to Ireland, excited a strong sense of insufficient security against English encroachments. The excitement was increased by Lord Abingdon's attempt to introduce an act (which, however, was not allowed even to rest on the table of the House of Lords), to re-establish the supremacy of England; and, in supporting it, he denied that the king and parliament were competent to give up the national rights. The state of the public mind in Ireland

made it obvious to the government that something further was to be done; and in the following session they brought in an express act of renunciation (23 George III.) "for removing and preventing all doubts which have arisen, or might arise, concerning the exclusive rights of the parliament and courts of Ireland, in matters of legislation and judicature." Of this act the whole language was clear and unequivocal, and embodied all the objected points with the utmost fulness.

This act of renunciation did not restore harmony to the opposition. The jealousy of the leaders spread to their followers,—the moderate party siding with Mr. Grattan, the violent with Mr. Flood. The protracted discussions upon the question of renunciation or repeal, embittered each side against the other; and when the matter in dispute was decided, those feelings engendered by it remained and prevented a reunion of the party. There came to be in the opposition two opinions on every subject,—the moderates, wholly separated from the extreme, were perhaps too moderate; while the counsels of the extreme, being untempered by the moderation of Mr. Grattan's adherents, became more violent and inconsiderate. The latter declared that the majority of the Irish parliament having decided for the sufficiency of a measure which, immediately after, the British parliament was obliged to admit was unsatisfactory, demonstrated the necessity of a parliamentary reform. The volunteers were again roused into action, and the opinion that the parliament did not represent the people, became the prominent subject of complaint. With the volunteers Mr. Flood now obtained the highest popularity; and when, very shortly after, the memorable quarrel between him and Mr. Grattan occurred, he was addressed by them on that occasion to express their sense of his services, and to censure the uncalled for and unmerited severity of Mr. Grattan's attack.

Of the quarrel here adverted to it is necessary to offer an outline. The brief administration of Lord Temple was succeeded by that of Lord Northington in 1783, who was appointed with the celebrated coalition ministry in the same year. A new parliament met in Ireland on the 14th of October. The people had shown their gratitude by the exclusion of both their great leaders, Grattan and Flood, who were compelled to have recourse for their seats to private boroughs. About a fortnight after the meeting of parliament, Sir H. Cavendish having moved that the state of the kingdom required every practicable retrenchment, Mr. Flood, as had been his wont, entered into some very severe comments on the government, and moved, as an amendment, "that the country demanded retrenchment." Grattan, who was opposed to the original motion, was still more opposed to its being put in an offensive form; he believed that his rival was neither honest nor truly patriotic; and conceived that this system of outbidding on every question, arose, not from conviction, but from a design to discredit him and his followers in the eyes of the country, by making them appear to be the opponents of popular measures. He perceived, perhaps, that whether intentionally or not, Flood would prove the ruin of the party which he had once betrayed, and which now idolised him, and would possibly make the abolition of the volunteers a matter of absolute necessity, unless the country was to be put under the government of military

law. Both leaders were already in secret such enemies as can only be made from former friends, and were prepared to seize upon the first occasion for the discharge of their mutual animosity. Mr. Grattan replied to the amendment in a tone of sarcasm; Mr. Flood claimed his right to reply on a personal charge, and, in replying, retorted with a degree of acrimonious point and imputations so very personal and galling, that he probably felt, as the last sentence of his speech expresses, a triumphant sense of having crushed his antagonist—"I have now done. Give me leave to say if the gentleman enters often into this sort of colloquy with me, he will not have much to boast of at the end of the session."

Mr. Flood's invective, for such it was, was highly creditable to his oratorical powers, and contained passages which, had they been the result of preparation, would deserve the praise of finished composition. Among other innuendoes of the most cutting severity, was one which could not fail to provoke, and indeed demanded, the utmost power of retort. He hinted that Mr. Grattan had been all along a stipendiary patriot, consistent in nothing save in taking that course which seemed, for the time being, most profitable to himself. He had, however, been premature in his self-congratulation; he little knew, as in his usual measured tones he attacked Mr. Grattan's personal honesty and political consistency, what terrific thunders he was awakening. Mr. Grattan's reply remains as yet unparalleled among the reports of parliamentary encounter for its condensed and compendious severity. "It is not," said he, "the slander of the bad tongue of a bad character that can defame me. I maintain my reputation in public and private life; no man who has not a bad character can say I ever deceived him,—no country has ever called me a cheat. I will suppose a public character, a man not now in this house, but who formerly might have been here. I will suppose it was his constant practice to abuse every one who differed from him, and betray every man who trusted him. I will suppose him active. I will begin from his cradle and divide his life into three stages,—in the first, he was intemperate; in the second, corrupt; and in the third, seditious. Suppose him a great egotist, his honour equal to his oath, and I will stop him and say, Sir, your talents are not so great as your life is infamous; you were silent for years, and you were silent for money. When affairs of consequence to the nation were debating, you might have been passing by these doors like a guilty spirit, just waiting for the moment of putting the question, when you might pop in and give your venal vote; or you might be seen hovering over the dome like an ill-omened bird of night, with sepulchral notes and cadaverous aspect and broken beak, ready to stoop and pounce upon your prey. You can be trusted by no man; the people cannot trust you; the ministers cannot trust you; you deal out the most impartial treachery to both. You tell the nation it is ruined by other men, while it is betrayed by you. You fled from the embargo; you fled from the mutiny bill; you fled from the sugar bill. I therefore tell you in the face of your country, before all the world, and to your beard, that you are not an honest man." Mr. Flood was for the moment completely bewildered by the overpowering effect of this rejoinder, a fact which



is perfectly apparent in the few sentences of reply which have been preserved by tradition. These two gentlemen, after having for two hours been allowed to discharge their whole indignation upon each other by a house of commons which entered with all the keen interest of a cockpit into this display of rival force, were from something of the same spirit suffered, after it was over, to steal away for the purpose of following up their quarrel in the way most usual at the period. After a little time had passed in the confusion which immediately followed, orders were given for the arrest of the parties. Mr. Flood was taken, but made his escape from the sheriffs. A challenge from Mr. Flood ensued; but after some days spent in negotiation, they were both served with a warrant from the king's bench, and bound over to keep the peace towards each other for two years. A few days after Mr. Flood was allowed by the house to enter into a formal vindication of his character, in which he displayed very considerable eloquence and talent.

The quarrel just related had the effect of putting an end to the acquaintance of these two great orators. Upon a subsequent occasion Mr. Flood saluted Mr. Grattan when they chanced to pass each other in the streets; this advance, however, was so coldly received that he took care not to repeat it. His wish to conciliate was further shown by his presiding at some meetings where resolutions were passed complimentary to Mr. Grattan. But the opposition between the leaders, instead of being diminished, was increased by subsequent events.

The Convention of Delegates, as already narrated in the life of Lord Charlemont, took in hand the matter of Reform, and Mr. Flood was chosen to shape their reform bill, and undertake the championship of it in the house. He had seen what great things had been achieved by Grattan and Charlemont, in the strength of the volunteers; and supposed that if he could obtain possession of that same force with which they had overawed the parliament of England, he would soon hold the position of a dictator in the parliament of Ireland. But in the course of making himself the leader of the volunteers by becoming the slave of their folly, and endeavouring to force upon parliament a measure for which no party was as yet prepared, he showed that utter want of judgment which generally accompanies overweening vanity. The motion for leave to introduce his scheme of reform was at once rejected by a large majority; his measure was not even allowed to cross the threshold, although the volunteers "demonstrated" both in the galleries and in the precincts of the house in great numbers. This honourable firmness on the part of the commons inflicted a fatal blow both on Mr. Flood and the volunteers. Neither ever recovered from their defeat. With respect to Mr. Flood's motion, as on the question of renunciation, he managed to be both right and wrong. Reform was undoubtedly needed, but the time was not opportune, and the manner of introducing it was such as the house could not have consented to without abdicating its functions. In Mr. Flood's favour, it must be admitted that the danger of popular interference had not yet been ascertained by events. It may doubtless have appeared to him that the state of Ireland was still such as to warrant the application of

an irregular force, while he overlooked the distinction of its application, through parliament, and to parliament. Like a far greater man, Mr. Fox, he was more a theorist in political science than a profound observer of those laws by which men and nations are governed; his reasoning was that of a casuist, built on dogmas and maxims, not on the studied precedents of jurists and political writers; he belonged to that eloquent class of public men who will reason on an abstract case, while the facts are momentarily bursting from their grasp. Should any one consider it wholly unnecessary to seek for such a justification of his conduct, we answer that it is impossible to avoid a strong impression that it was actuated by no regard to any consideration beyond the impulse of certain strong personal feelings. If he was not goaded by feelings of jealous rivalry and disappointed ambition, he was more or less than man. He had seen his vast popularity ebb, and the unrivalled championship, the thunder of the senate, pass into the hands of a junior, a rival, and a reputed enemy. On the other hand, he had been ill-treated by the government. Such a position was laden with the elements of desperation. The force of which he had put himself at the head, was the same which had prostrated and paralysed the forces of the castle, and had floated his rival to wealth, influence and fame. Such motives may have been unworthy of his understanding, and beneath his pride; but while we admit the possible uprightness and sincerity of his conduct, we cannot see that there is any justification for his want of judgment. It was not a time for reforming parliament, much as it needed reform; and more than reform would have been needed by any house of commons which should have adopted a resolution under the circumstances already described, at the point of the bayonet. And not only was there an extraordinary want of tact and discretion in the manner of bringing the matter forward, but it must have been obvious to any statesman with an eye for proportion, that having a view to the condition of the people, enough, and more than enough, had already been done. The truth is, the social and political constitutions of Ireland were advancing with unequal steps. The leading statesmen of the popular party took up their notions and principles from English books, the British constitution, and the debates in the British parliament; when they harangued on the affairs of Ireland, they were unconsciously thinking of England. They who now read their speeches have no very distinct notion of the state of affairs to which they were intended to apply. A great step in advance had been made when the independence of the judges, free trade, and the autonomy of the Irish parliament had been secured. For the sound working of these measures something more was wanting. It is a mistake into which statesmen are but too liable to fall, the idea that a system of enactments can amount to national prosperity, whereas on the other hand every measure in its application is wholly modified by circumstances over which legislation has no power. No freedom or no laws could have secured prosperity or good government to Ireland, or happiness and respectability to the people, until they had first made some advances wholly dependent on peace. When once fairly ingrafted, civilization with its consequences depend on quiet, and the workings of law depend on civilization. The tyranny of one stage of

civilization drops away link by link, according to a law not in the will of cabinets or councils, but in the hand of nature; laws become obsolete by an insensible course, and opinion works out institutions and enlightened laws by a process nearly as insensible. These effects cannot be, or never were, the work of popular will,—an instrument useful in desperate emergencies, but in these alone; useful to vindicate freedom, but not to fit people to be free. In Ireland the principal want was an interval of quiet; the utmost had been done that national excitement could at the time effect; and the balance of force was visibly shifted. Wise men would have applied their whole strength to secure, to give a rooted existence and sane working to the new elements of constitutional strength. To promote trade, to improve the condition of the peasantry, to remove the prejudices which operated against the country, and to quiet the turbulence which seemed to justify those prejudices, in a word, to look into the actual state of the Irish people, who were the least cared for, and the least consulted for in the struggle; the endeavour being to excite them into a state of exasperation fatal to their own best interests. The spirit of the people had already received some fierce impulses which a sagacious politician would desire to check; and the public mind was already commencing that fatal course which was to receive no effectual check until it obtained a permanent form and became the parent of all subsequent calamities. It was then that the irreconcilable hostility to law and order sprang up—a temper never done complaining—not to be civilized but by an iron domination; and which, by the impression of national fickleness and faithlessness it communicated, effectually drove away commercial confidence and exiled capital from a country offering the best advantages for its outlay. Such charges, were it necessary, we should be the most strenuous to repel. But in that day lessons were taught in Ireland which have never since ceased to be productive of evil. Even then there was an earnest of what was to come in the conduct of the Dublin mob who, resenting the independent conduct of parliament, broke into the house, pursued the unpopular members, and insulted and maltreated them in the streets.

Mr. Flood must have been deeply mortified at the discreditable results of a movement by which he had expected to be immortalized. The policy which had been intended to re-establish his declining influence put him henceforth into the position of a political outcast. He who had once been the foremost man in the country and the champion of the national party, was now in his age, and under the influence of a painful infirmity, with declining health and abated physical powers, doomed to the pains, anxiety, and jealousy of a strenuous rivalry with youth, enthusiasm, and transcendent talents. If he was conscious of the uprightness and sincerity of the principles on which he acted, he must have withered under the painful sense of misrepresentation; but if the reproaches of a rival had found any echo in his breast, he must have been touched by feelings not less painful; in either case he would have been more than human not to be mortified by the defection and dissent of early admirers and followers, the assaults of rivals, and the discreditable results of much labour and many high expectations. The reader will easily therefore comprehend the relief to Mr. Flood which must have grown out of the

prospect of being transferred to another scene of effort presenting a broader and loftier scope for his abilities; and how the dignity of a seat in the British senate seemed more than equivalent to the loss of influence in his own country. But he was rendered still more desirous of appearing on this greater battle-field by an insult received from the British minister, in advising that his name should be struck off the lists of the privy council. Mr. Flood accordingly entered into treaty with the Duke of Chandos for his borough of Winchester. The Duke appears to have been a warm political admirer of Mr. Flood and to have held similar opinions; and it is evident from published correspondence that then, as well as at an earlier period, there had been a friendly intercourse between them. At the same time Mr. Flood was unwilling to occupy a dependent seat, and purchased his election at the cost of £4,000. It was on the 3d of December, at the close of a long debate on Mr. Fox's East-India bill, that Mr. Flood entered the English house of commons for the first time as a member. His intention was to vote with Mr. Pitt against this measure; it was, perhaps, a wonted impulse that prompted him to rise to say a few words on the principle of the bill. His fame had travelled before him, and expectation had been strongly excited among the members, so that the instant effect of his standing up was to recall to their places many who were about to retire, to cause silence and the appearance of universal attention. Mr. Scott (Lord Eldon) had just delivered himself of a speech which has never perhaps been equalled for absurdity in the English house of commons. He had argued from the prophecies in the Old Testament and the Book of Revelation, and the elephantine awkwardness of his wit had kept the house in a convulsion. It was a singularly dangerous moment for a new speaker to rise; but Mr. Flood perceived the hush of expectation, and (according to the popular account), catching the feeling of the house, he could not resist its effect; he recoiled from the idea of disappointing a popular sensation so flattering to his pride, and suffered himself to be carried into details for which it is generally assumed he had made no previous preparation. Of this we must, by the way, express our doubt. For many days previous to the debate on the India question, he had received several letters and enclosures on the subject from the Duke of Chandos,\* and it may be presumed from others anxiously urging his journey that he might take a part in the discussion on the second reading of Mr. Fox's bill. On the very night of the debate he arrived after a forced march, which it is not easy to disjoin from some specific purpose. It is true he had not read the reports which lay on the table, and rather injudiciously commenced his speech by an exaggerated confession of ignorance decidedly calculated to prejudice against him an English auditory; but he showed in the course of his speech sufficient acquaintance with the subject for a display of oratory or a statement of general principles. He, however, still laboured under great disadvantages, among others that of a long and fatiguing journey; and were we even to assume that he had fully meditated the subject with a view to taking part in the discussion, yet it must be understood by any one in the habit of public speaking, (or

\* Correspondence, Letters 75, 76, and 77.



indeed private conversation,) that the effect of bodily fatigue or any cause which depresses the physical powers is to lower the spring of thought, and still more of language. Even with preparation Mr. Flood must have risen at a great disadvantage. His language, nevertheless, was not destitute of its accustomed correctness; his exposition of the subject was accurate and well digested; he had justly seized all the prominent points of the subject and viewed them in the same light as Mr. Pitt, a fact inconsistent with the assumption of an unprepared rising. But his language was cold, his manner tedious and embarrassed, and the arguments which he used already exhausted; the charm of eloquence was entirely wanting, and a coldly correct piece of trite argument was entirely inadequate to satisfy the demands of expectation, and far below the reputation of Mr. Flood. There was in truth another disadvantage of a kind less purely incidental, and which told fatally against him in the English parliament. On comparing the report of this speech with those of his most important speeches in the Irish house, we cannot discover in the latter any decided marks of superiority in style or substance; and we are very much inclined to think that the disappointment attending his *debut* in the English parliament is, in part at least, to be attributed to the effects of comparison and fallacious estimate. Mr. Flood's high reasoning powers had a value in the Irish house increased by the fact that they were there a distinction. In England, where men were accustomed to listen to Burke, Pitt, and Fox, orators who, in their different styles, had carried political eloquence to its highest perfection, and combined the powers which Flood possessed with others to which he had little pretension, such an auditory were sure to be disappointed at even the best possible fulfilment of an expectation which owed so much to exaggerated rumour. Besides the mistake of declaring himself destitute of that knowledge of the subject which the practical good sense of Englishmen makes them require in their speakers, he made a still more fatal error in declaring himself independent of both sides of the house, obtaining in consequence the sympathy of neither. The report given of his speech in Hansard, with these exceptions, displays much tact and precaution, and care to communicate to the house the difficulties under which he rose; but such statements, however, are either considered part of the rhetorician's art to magnify his performance, or if they are believed, create an unfavourable impression. Upon the whole, Mr. Flood's speech was thought by his admirers to have been incautious and premature, and was regarded as a failure by himself. The following passage from "Wraxall's Memoirs" gives a brief, and we think, fair account of the whole incident:—"Mr. Henry Flood, one of the most celebrated orators in the Irish parliament, (who had been just brought in for Winchester,) rising for the first time, proposed to speak in the English house of commons. His appearance produced an instant calm, and he was heard with universal curiosity while he delivered his sentiments, which were strongly inimical to the East India bill. Though possessing little local or accurate information on the immediate subject of the debate, he spoke with great ability and good sense; but the slow, measured, and sententious style of enunciation which characterised his eloquence, however calculated to excite admiration in the sister kingdom, appeared to

English ears cold, stiff, and deficient in some of the best recommendations to attention. Unfortunately too, for Flood, one of his own countrymen, Mr. Courtney, instantly opened on him such a battery of ridicule and wit, seasoned with allusions or reflections of the most personal and painful kind, which seemed to overwhelm the new member." With respect to this incident Mr. Moore has recorded the following statement from Lord Byron:—"When I met old Courtney, the orator, at Rogers, the poet's, in 1811-12, I was much taken with the portly remains of his fine figure, and the still acute quickness of his conversation. It was he who silenced Flood in the English house, by a crushing reply to the hasty *debut* of the rival of Grattan in Ireland."

"I asked Courtney—for I like to trace motives—if he had not some personal provocation, for the acrimony of his answer seemed to involve it? Courtney said, *he had*. That when in Ireland (being an Irishman) at the bar of the Irish house of commons, Flood had made a personal and unfair attack on himself, who, not being a member of that house, could not defend himself; and that some years afterwards the opportunity of retort offering in the English parliament he could not resist it."

A dissolution of parliament speedily followed, and the consequence to Mr. Flood was a vexatious controversy with the Duke of Chandos, who refused to put him in nomination a second time. Of this refusal, the grounds can be but imperfectly gathered from a tedious correspondence between the principals and their friends, occupying thirty quarto pages of Mr. Flood's correspondence. The duke seems to have involved both Mr. Flood and himself in inextricable embarrassments by his want of proper candour and firmness in not announcing his change of purpose and his feeling with regard to the political position which had been assumed by his nominee. He was offended at Mr. Flood's declaration of independence, but did not say so decidedly, and took refuge in subterfuges. He urged that it could not have been his intention to nominate Mr. Flood in perpetuity; that Mr. Flood had stated his wishes to be confined to the present parliament, and that he had engaged to vacate his seat should any dissatisfaction arise. It was evident, however, that there had been such an understanding as a man of honour must have felt binding, and on which Mr. Flood had undoubtedly a right to count. Occasional expressions had unmistakably conveyed to him the intention of the duke to support him at the next election, and it was even admitted that Mr. Flood had been authorized to take certain steps anticipatory of the event. The following passage from one of his letters to the duke shows the aspect the transaction presented from his point of view:—"The duke expressed his intention, as well after Christmas as before, that Mr. Flood should come in for Winchester this parliament. . . . Mr. Flood is free to say that intentions repeatedly declared in serious matters, and between serious men, embarking persons of a certain description in concerns of depth and moment, affecting their whole situation, held on to the last moment, and till opportunities are lost that cannot be retrieved:—he is free to say that, in his mind, and, as he conceives, in that of all mankind, such circumstances do constitute a

serious ground of obligation to all the feelings of honour." The truth appears to have been, that it was suggested to the duke by his attorney that the peculiar position assumed by Mr. Flood in parliament would be prejudicial to his interest and lower his political importance; and though the suggestion came late to give Mr. Flood seasonable notice of his change of intention, he thought it would be too much to expect that, on this account, he should compromise his public character. In the correspondence he is compelled to touch lightly and with extreme caution on his real objection to putting Mr. Flood a second time in nomination, reminding him that there is a consideration too delicate for explicit discussion. Possibly this consideration may have been one more unflattering to Mr. Flood than his independence of party, viz., his complete failure as a speaker in the English parliament. Mr. Flood either would not or did not understand the reason of the duke's embarrassment, and continued in a protracted correspondence to urge the understanding that had existed and the dishonourableness of not fulfilling it. Intermediate parties were called in, but seemed to shrink from the uncompromising violence of Mr. Flood, who evidently aimed at bringing the question to the decision of arms—the savage resort of the time. This result, however, was averted by the quiet obstinacy of the duke, who held his ground in the dispute without even appearing to recognise the angry tone and insinuated hostility of his adversary. Viewing the whole question, we are inclined to think that neither side showed in a very attractive light. On the duke's part there was much of that shuffling which arises from weakness of character; on Mr. Flood's inordinate self-assertion, want of considerateness, and an ungraceful display of indignant mortification.

In 1784 Mr. Flood received an invitation from some voters of the borough of Seaford; and Mr. Peter Burrowes, then a student in the temple, was employed to act as his representative on the occasion. After two defeats, arising from illegal conduct of adverse parties, which in each instance caused the returns to be cancelled, Mr. Flood was elected. On his re-entrance to the English parliament he was more successful than in his first essay. He became alive to the less tolerant atmosphere of an assembly not composed of blind admirers, but of practical Englishmen, impatient of mere rhetoric, and accustomed to listen to much greater speakers. Of course a man of so much ability was more or less able to suit himself to his audience; and less being expected, more was thought of his subsequent efforts. On several occasions he sustained his reputation by displays of oratorical power, not unworthy of his best days in the Irish house of commons. He was thus become a member of both legislatures, and was not remiss in either. Actively, though unsuccessfully, he continued to agitate the question of parliamentary reform in his own country. Against the commercial regulations introduced by Mr. Secretary Orde in 1785, Mr. Flood took a leading and prominent part, to which we can only now thus passingly allude; and we must mention as briefly, his efforts in the British parliament in 1787 on the proposal of a commercial treaty with France. In 1790, he attempted to introduce a scheme of reform in the English house of commons, a sufficient description of it being that it was very much what was actually carried by Lord Derby three-quarters of a

century later, and would have based the franchise upon residential household suffrage. So much the worse for the man who is in advance of his time, and so much the worse for the time to which his labour is lost. Mr. Flood made a very remarkable forecast of what the franchise would one day be; but it was his mistake to misjudge the time, in fancying that the then state of the people, to whom education had scarcely penetrated at all, would warrant parliament in bestowing on them such a trust. Nor did he perceive the extreme danger of democratic change at such a time, when the principles of the French revolution were abroad, and the people everywhere began to feel their strength without having attained the wisdom and self-control to use it with discretion. Mr. Flood had lived too long in the contemplation of tempestuous and irregular political workings to be easily alarmed, or to be keenly alive to the first vibrations of the wave of change, then in its beginning. It was pre-eminently a part of his temper to adhere to his own views. On a mind like his, broad and deep, but rooted like the oak to which he was compared, it is no reproach to say that the powerful and seemingly unanswerable expositions of Mr. Burke which changed the current of that critical time and saved England, had no influence whatever. Like Fox, like indeed the generality of statesmen, he wanted the higher and more comprehensive state-philosophy. It is one of the curious phenomena of history, how little of this higher wisdom enters into the councils of states, or actuates the conduct of statesmen. The power of arguing points—the comprehensive command and array of facts—the rapid perception of present realities and immediate consequences—and the ready penetration into the motives of opponent or ally; these enter into the combination of qualities which form the ordinary statesman. They are easily apprehended by the criticism of the vulgar, being but more powerful and efficient developments of the common sense of the multitude. Hence the general error of judgment with regard to what is called consistency; the apprehension of the crowd will cling to names and conventions when (looking to the actual constitution of things) their sense has virtually changed. And hence, also, in a still higher degree the risk he runs of being misunderstood, who looks at human events through the medium of principles, and consequently perceives and points out results which a more remote period yet hides from the narrowness of ordinary vision. Mr. Flood would have maintained the cause of reform in the midst of a growing confusion; and purified with fire when the conflagration was breaking out. It was no time to talk of reform in England when the principles of revolution were taking hold upon ignorance, and society was threatened by a force as gigantic as the folly by which it was actuated. Of course, under the circumstances, Mr. Flood's scheme was rejected; and this attempt may be considered as the close of his public career. He was excluded from the next parliament by the united efforts of both the great parties, and retired to Farnly suffering from a painful sense of undeserved slight. Mr. Flood's proud, ambitious, and resentful tone of mind, must have felt the mortification acutely. Added to this was the bodily suffering of a severe attack of gout. While labouring under this malady he ventured to expose himself imprudently on the occasion of a fire breaking out in his premises.



A cold, terminating in pleurisy, followed, and caused his death on the 2d of December 1791.

Mr. Flood, on the lowest impartial estimate, must be reckoned among the first men of his day. As an orator, inferior to few; as a political casuist, superior to most. His style firm, well arranged, simple and perspicuous; his method of reasoning always ingenious and full of art; frequently just, forcible, and satisfactory. His character was unfortunately deeply tinctured with vanity and self-importance; and as life advanced in the strife with party and individual, a large portion of acrimony appears to have gradually mingled in the mass. Mr. Flood endowed by his will a professorship of the Irish language in Trinity College, Dublin; his friend Colonel Vallancey being recommended as the first professor. He also established prizes for English composition, which have no doubt been of great service to the Irish university in cultivating that gift of utterance, without which the accumulation of knowledge is in vain, save for the pleasure of its individual possessor.

#### WALTER HUSSEY BURGH.

BORN A. D. 1743.—DIED A. D. 1783.

THIS brilliant lawyer and distinguished member of the Irish parliament held a high place among the band of true patriots and eloquent speakers who acknowledged Mr. Grattan as their chief. Less of the substance of his life than we would wish to recover for the reader has been preserved in contemporary records; indeed his memory only lives in the scattered notices to be met with in parliamentary reports and memoirs of men of his time, who were more fortunate (or unfortunate) in finding biographers. In the distance of time only the chief luminaries are visible of systems of public men that have passed away; while Charlemont and Flood and Grattan survive,—Burgh, Daly, Perry, and many others who held distinguished places in the world of that day, are almost forgotten; and must, we regret to say, owing to the scarcity of materials, receive but a slender, if any, notice in our pages. The truth is, however, the events which formed the principal incidents in their lives are embodied in the memoirs of the chief men; so that in writing the memoir of Charlemont or of Grattan we are telling impliedly the story of a multitude of others. The annals of a leader are the annals of his followers.

Walter Hussey, who assumed the name of Burgh, was highly distinguished in the university of Dublin, as well for his classical proficiency as for his poetic talent and cultivated taste; and shortly after his call to the bar (1768), was nominated by the Duke of Leinster to a borough at his disposal, and on his entrance to parliament took a conspicuous part in opposition to Lord Townshend's government. His style of speaking was at first over flowery, and too profuse in classical quotation: but we are told that every session refined away something of these superfluities (probably he began to forget his classics), and improved him into an elegant and interesting debater. His parliamentary and professional success kept pace; as a lawyer he enjoyed a high reputa-

tion, and in the same year in which Mr. Flood took office, he accepted the post of prime serjeant. The acceptance by a barrister of professional advancement and distinction could not be looked upon in the same light as the acceptance by a statesman of high political office under an adverse government; but nevertheless a man of Mr. Burgh's high principle soon found the impossibility of serving two masters,—the government and his country. Even during his continuance in the position of prime serjeant, he did not cease to act in concert with his party; on the introduction of the question of Irish trade in 1779, by Mr. Grattan's amendment to the address in answer to the Lord-lieutenant's speech, Mr. Burgh concluded a spirited debate by moving, instead of the amendment, "That it is not by temporary expedients, but by free trade alone, that this nation is now to be saved from impending ruin." Of course "free trade," as here used, meant the removal of restrictions and prohibitions on Irish exports, and not free trade in the full modern acceptation of the word. The amendment to the address, as first proposed by Grattan, had been drawn up by Daly, but some objections having arisen, they were concluded by Mr. Burgh's amendment. His conduct on this occasion was warmly approved by the constituency he represented,—the university of Dublin,—but of course put him in a painful position towards the government with which he was officially connected. Shortly after, in the same year, and while the Irish parliament was still held in irritating suspense on the subject of trade, a motion in committee of supply to limit the grant to six months was the occasion of a second collision with the government. Mr. Burgh made a speech which has been often commemorated by Irish writers both for its effects and for its intrinsic merits. This was the occasion on which he thought it necessary to resign his office. Shortly after, when Mr. Grattan was about to bring forward his motion on the independence of the Irish parliament, and requested Mr. Burgh's support, the latter replied, "I shall attend, and if it were my last vote I shall give it in favour of my country." It was known that the chancellorship was within his reach at the time, for the government was extremely desirous of recovering one who was escaped out of their net, and had been so valuable, though unmanageable, a capture; and when he had concluded his speech he turned to Mr. Grattan and said, "I have now sacrificed the greatest honour an Irishman can aim at." Notwithstanding his political offences, however, his character stood so high at the bar that it was impossible for the government to pass him over for professional advancement. He was raised to the bench as chief baron of the exchequer, in which high station he died in 1783, in the fortieth year of his age, leaving, in corrupt times, a blameless reputation. On the subject of his character some fine sayings of Flood, Grattan, and other eulogists, have become trite by frequent repetition. Mr. Flood said, "he did not live to be ennobled by patent,—he was ennobled by nature." Lord Temple, in writing on the event of his death, "No one had that steady weight which he possessed in the judgment and affections of his country; and no one had more decidedly that inflexible and constitutional integrity which the times and circumstances peculiarly call for." Burgh left his family in embarrassed circumstances. His infirmity was the love of

ostentatious display; his equipage was stately and expensive beyond his rank and means; six horses and three outriders would, in our times, expose a chief baron to the world's smile. Mr. Grattan proposed, and obtained from parliament, a grant for the relief of his family.

JOHN HELY HUTCHINSON.

BORN A.D. 1715.—DIED A.D. 1794.

THE subject of this memoir was the son of Mr. Francis Hely, but assumed the name of Hutchinson, on inheriting the property of his wife's relative, Richard Hutchinson of Knocklofty, in the county of Tipperary. He was called to the bar in 1748, and having rapidly distinguished himself as a lawyer, soon entered the House of Commons, then, as now, the sure avenue to promotion. There his legal and political knowledge and considerable oratorical powers made him a dangerous opponent to the government, which soon recognised the advisability of buying him over first by a silk gown, and then, in 1762, by the appointment of prime serjeant. Further advancement in his profession being inconsistent with continuing in parliament where the government could not afford to dispense with his services; in 1774 he retired from the bar and received the high appointment of provost of Trinity College, Dublin, vacant by the death of Provost Andrews. Such an appointment being not merely anomalous, but looking to the character and objects, to the constitution and dignity of the University of Dublin, bearing the character of a most unwarrantable stretch of power, must necessarily arrest the reader's attention. It demonstrates how much the government was in need of support against the growing power of the opposition when such an appointment could be extorted from it by a man of Mr. Hutchinson's useful but not extraordinary abilities. It also illustrates the contempt for Ireland which was so often indicated in the proceedings of the English officials of the castle. That which might have been done in England, under the Plantagenets and Tudors, was done in Ireland under the Georges. To the fellows, professors, and scholars of Trinity College, in that time eminent for even more than the reputation of learning and talent they have at all times deservedly enjoyed, such an outrage as making their provostship the reward of a political supporter who had no connexion with the university, could hardly have been offered by an administration which valued learning or regarded the true interests of the country. Ireland, then beginning to cry aloud for the privileges of national manhood, but yet whole generations away from moral and intellectual puberty, was overruled by expedients. Instead of fostering institutions and endeavouring to spread and cultivate the seeds of future civilization and prosperity, all was done with a view to the governmental exigencies of the moment and without a thought for the morrow. The resources that were spent in buying over or silencing the representative, might have won by liberal and just measures the support of the represented: the machinery of the clock might have been regulated with far less trouble than was continually bestowed upon adjusting the hands. To purchase votes

was the system of carrying on government ; and the policy with regard to the people was alternately ill-judged and worse timed concession, and then barbarian violence and coercion. There was none of that mild and kindly wisdom which looks to the real wants and actual interests, and anticipates the growth of a nation. To ward off rather than to provide for the political changes which were inevitable was the object of the British government. It never entered in their calculations that Ireland, though far behind England in the civilization of her people, yet comprised in her higher ranks a large and increasing nucleus of the very highest civilization, essentially English in its entire frame ; and that consequently, whether matured or not, she would not rest one step short of England in advantage or pretensions. The struggle for political equality once begun, would propagate an impulse to freedom through every rank of the people. To prepare them for the time when it would have been necessary to grant their demands and treat them no longer as a conquered nation, but as part of a great and free empire compacted with the rest by equal laws and kindly sympathies, needed but an early attention to the diffusion of the comforts, arts, and knowledge of civilized life. To maintain peace amid all the elements of disorder, and to keep up an intolerable and destructive fiscal pressure, were the main ends of British policy, and were accomplished by the most unblushing corruption and abuse of public patronage. But from the evils of government outside her walls the University of Dublin might well have congratulated herself upon a considerable immunity from the time when her buildings were converted into a barrack by Tyrconnel, to the rude and inconsiderate imposition of an extern provost.

It is hard to discuss an appointment which put Mr. Hutchinson in such a false position without doing him somewhat of injustice : for he was far from an illiterate person, or one who, if he had attained it fairly, would not have adorned the position. On the contrary, as an orator he was the rival of Flood, and in their frequent contests was generally considered to have the advantage ; he was specially distinguished for a peculiar command of style which enabled him to be concise or diffusive, perplexing or perspicuous, simple and plain spoken, or splendid and figurative as the occasion required. As a debater, he has been thus described by Secretary Hamilton, "he was the speaker who, in support of the government, had always something to say which gratified the house ;—he could go out in all weathers, and as a debater was therefore inestimable." Mr. Hutchinson always contrived to interest and retain the attention of parliament, and in every collision preserved his temper and conciliated his hearers by an appearance of respect. He was also a fine scholar and a lover of classical learning ; but with all this to recommend him for advancement in his own profession or in political life, he had an inordinate appetite for promotion, which marred his better qualities, made him a hired servant of the government and an object of ridicule even to those under whom he served. Among other instances, a story is told of his having made an application to Lord Townshend for some addition to the numerous appointments which he had contrived to sweep together in his own person. Townshend jestingly answered, that there was at the moment nothing vacant



but a majority of horse. To his surprise, however, Mr. Hutchinson immediately pressed for it. It may now be considered a matter of more legitimate wonder that it was granted, and that being himself unable to serve in that capacity, his valour was obliged to be represented by a deputy major. The incident was by no means new—nor are we quite sure that the following *mot* of Lord North's was altogether original, though it was highly appropriate to the individual. When Mr. Hutchinson appeared in the court of St. James's, the king asked who he was; Lord North answered, "That is your Majesty's principal secretary of state in the Irish establishment; a man on whom if your Majesty were pleased to bestow England and Ireland, he would ask for the Isle of Man for a potato garden." The spirit of exaction and concession received its most remarkable illustration in Mr. Hutchinson's appointment as provost; and the result was as vexatious to himself as it was derogatory to the university. Most painful proofs were given to the new provost that such an intrusion upon their learned guild could not be submitted to by the senior fellows or the general body of the university. Nevertheless Hutchinson's dexterity, supported by the power of the administration, served him in good stead, and he quickly contrived to make a diversion in his own favour. Unable to propitiate in any way the injured dignity of the fellows, he successfully appealed to the folly and vanity of the students. They were delighted with the prospect of converting a reverend seat of learning, science, and theology, into a seminary for the frivolities of fashionable society; a dancing school, a riding school, a gymnasium where young gentlemen might be accomplished for the ball room and the race course; where the sons of the nobility might acquire those rudiments which had been neglected in the stables at home, and where perhaps their daughters might hope to come in course of time for similar refinements. Such an innovation could not fail to win the approval of the freshmen—delighted to exchange the categories and predicaments for the five positions, and the moods and figures of Aristotle for the lighter figures of the reel and strathspey. The youthful fry were quickly arrayed on the side of the gay functionary who came thus attended with song and dance to banish the conventual gloom of philosophy and substitute

Jest and youthful jollity,  
Quips and cranks, and wanton wiles,  
Nods and becks and wreathed smiles,

for the antiquated empire of classical learning and the frozen splendours of modern science. Such was the device of the lawyer and political partisan; he had read Sallust to some purpose, and knew the efficacy of promise on light and undisciplined minds. "*Sed maxime adolescentium familiaritates adpetebat; eorum animi molles et ætate fluxi dolis haud difficulter capiebantur. Nam uti cujusque studium ætate flagrabat, aliis scorta præbere; aliis canes atque equos mercari; postremo neque sumtui, neque modestiæ suæ parcere, dum illos obnoxios fidosque faceret.*"

So far as the new provost's methods of winning support were public, they were received with acclamation by the multitude, ever ready to rush headlong into specious projects, and credulous of the delusive

promises of charlatans. The journalists and little pamphleteers, then a most ignorant class, more subject to the influence of public prejudices than capable of correcting or dispelling them, and inflated with a low contempt for all knowledge beyond the journey work babble of the weekly press, fell into this popular and prosperous device, and helped to bring into favour the new provost and his enlightened scheme to improve upon the *humaniores literæ*. On the other hand, it may be supposed there were many who were keenly alive to the strange and grotesque indignity thus offered, not only to the university but also to Ireland, and indeed to learning and the learned. It was seen that the proposed innovations were unsuitable; that fashionable accomplishments could be acquired at home, at the grammar school or from extern professors, and that the student might receive the visits of the dancing master or the riding master, without the necessity of investing those dignified professors with cap and gown, and dubbing them doctors of dancing or prancing. But above all, the senior fellows, as became their dignity and station, exerted themselves to ward off a blow which would have gone far to obscure the light of the Irish seat of learning. Happily they resisted with effect; though indeed it is to be presumed that Hutchinson could never have seriously intended to carry out his fantastic proposal. Doctor Patrick Duigenan, a man of coarse taste, but exceedingly vigorous understanding, a lawyer also, and a senior fellow, took an active part in the controversy to which Provost Hutchinson's proposal gave rise. He published several satirical squibs in the *Hibernian Journal*; and, not content with writing, also assailed the innovator with rough and homely language, which was probably more true than courteous. On these assaults of the tongue it is said the provost looked down with that contempt which is available on any side of a cause, and the best weapon when the case affords no better. Some of his partisans, however, were less moderate, and the Doctor was in turn assailed with affronts and indignities, which he met and parried with a degree of humour and dexterity which must afford material for his own memoir. The Hutchinson project was allowed to fall into oblivion at last; and its author retained the provostship for life. The real talents and learning of a very able man gradually recommended him to the members of the university board; and having reached the highest position to which he could aspire, not being eligible for a bishopric, he rendered considerable assistance in the house of commons (in which he continued to sit as member for the city of Cork), to the patriotic policy he had supported in the commencement of his political career. It may be mentioned in his praise, that he took a prominent part in favour of the Octennial bill, the address in favour of free-trade, and the bill for the repeal of the penal laws affecting members of the church of Rome. He was offered a peerage, and accepted the honour for his family in the person of his wife, who was created baroness Donoughmore. His death occurred in 1794.

## BARRY YELVERTON, VISCOUNT AVONMORE.

BORN A. D. 1736.—DIED A. D. 1805.

It is interesting to know that last century, in a little village or "hedge" school in the county of Cork, two poor boys received their education who afterwards rose to the highest eminence at the bar. These schools, once so common in Ireland, and perhaps nowhere else, were conducted in rude hovels by men whose dress, manner, and diction were most extraordinary and uncouth; but who really imparted to their "poor scholars," themselves quite a caste in Ireland, a fair knowledge of classics and a considerable acquaintance with mathematics.\* They perhaps owed their existence to the latinity of the Catholic church, which recruited its priesthood chiefly among the peasantry; and they were often the means of stimulating native genius, and enabling a clever lad to mount the first steps. The picturesque diversity of light and darkness which they created in Ireland has long since been changed by the National system into an obscure diffusion of education—and as the struggle for existence becomes if anything harder, and therefore the possibility of leisure less, no more is likely to be attained by the working classes than "a little knowledge" widely diffused. But without laying ourselves open to the accusation of snapping at the wheels of progress, we may soberly doubt if such men as Barry Yelverton, Viscount Avonmore, and John Philpot Curran, Irish Master of the Rolls, would be so likely to find their way upward in the present diffused state of education, as when there was a better article, and considerably less of it. Yelverton preceded Curran by about twelve years in the village school of Newmarket—a smoky cabin where some score of rough-headed boys droned Virgil or Sallust; and, at an age which would now be considered extraordinarily early, he succeeded in obtaining one of the sizarships instituted for poor scholars in the university of Dublin. They were equivalent to the servitorships of Oxford, and were a real link between the university and the peasantry; but since the extinction of the hedge schools they have fallen into the hands of the middle classes, and have very properly been freed from their menial character. In Yelverton's time the sizars dined on the leavings of the pensioners, were appointed to sweep the halls, and perform many other menial duties, to which they were not unused in their own rank of life. The future chief baron was to be seen many a frosty morning busily plying his broom upon the steps, inwardly engaged with a Greek tragedy or preparing an oration for the debating club—lately founded by Mr. Edmund Burke—of which we learn from its record, recently brought to light by the Historical Society, he was a highly distinguished member. His next advance in life was to obtain the situation of usher in a classical school kept by a Mr. Buck, in North King street, Dublin. Mrs. Buck was an enlightened economist, and determined to effect a saving in her domestic expenditure by reducing the diet of the

\* The reader will find an amusing description of the hedge schools of Ireland in Carleton's *Traits and Stories of the Irish peasantry*.

ushers to bread and milk—the wholesome and substantial fare of school-boys in all generations. The lady's theory was accordingly put into actual operation; and Yelverton, who was head usher, feeling his pride nettled by a change no less ungrateful to his stomach than derogatory to his station, came to the resolution of seeking his fortune in a higher and more worthy field. Without delay he quitted the King street academy, and by strenuous exertions succeeded in being called to the bar in 1764. He was now unquestionably placed in his proper element; but, as commonly happens, continued for some years to walk the courts without making any progress in his profession; but he soon attracted that notice which talent never fails to receive in a circle so shrewd and observant as that of the Irish bar. Yelverton's great colloquial powers were sure to bring him forward, as nothing is so much appreciated in Ireland. It was a time when party feeling was just beginning to rise; such a man could not fail to be wanted in parliament; and accordingly, in 1774 he was elected to represent the city of Carrickfergus. His general character as an orator and politician is drawn by Barrington with considerable force and distinctness, and probably a fair amount of accuracy. He is described as inferior to Flood, Grattan, Burgh, and Curran, in their several descriptions of eloquence, but in the command of "powerful nervous language, superior to them all. A vigorous, commanding, undaunted eloquence burst in torrents from his lips." Mr. Barrington goes on to describe the moral features of his disposition; and, among other traits, mentions that "in the common transactions of the world he was an infant." It may be inferred from Mr. Barrington's description that he was a man of extreme simplicity and singleness of mind, with the virtues and failings not unusually attendant on such a character, and of warm passions and sensibilities which heightened and gave effect to such qualities. He was equally free from the disguises with which men hide the less comely parts of human nature, and the conventions of society which repress the nobler instincts. Such a man will often be found to err on both sides of the common track; now falling into strange and grotesque deviations, and now towering in the dignity of native goodness. "His character," says Barrington, "was entirely transparent—it had no opaque qualities—his passions were open—his prepossessions palpable—his failings obvious—and he took as little pains to conceal his faults as to publish his perfections." We may add the following account of his legal and judicial character from the same authority:—"Amplly qualified for the bench by profound legal and constitutional learning—extensive professional practice—strong logical powers—a classical and wide-ranging capacity—equitable propensities and a philanthropic disposition—he possessed all the positive qualifications for a great judge." To counterbalance these characteristics we are told that "he received impressions too soon, and perhaps too strongly; he was indolent in research, and impatient in discussion." Our readers may remember a well-known instance in which Mr. Curran practised with amusing effect on this temper of mind.

From the foregoing description it will be understood that Mr. Yelverton was of necessity a great social power. We have already alluded to the "Monks of the Screw"—a political and convivial society in which that spirit first arose, and was kindled from mind to mind, which after-



wards gave new life to Ireland. The subject of our memoir was the founder of this body—and it shows how rapidly he must have made good his position, that in five years after his call to the bar he was able to draw about him all the wit and talent of the Dublin of that day. The place of meeting was in Kevin street; and, consisting chiefly of barristers and members of parliament, the monks were accustomed to meet in term time on Saturday evenings. In these meetings they seem to have kept up in some measure a travestied imitation of conventual formalities. The chapter at which the abbot presided, and at which the members wore black robes, was held before commons; a grave deportment gave poignancy to the sallies of not intemperate humour, for which it offered materials and a mask of decorum. Most of the political *brochures*, which in the great popular struggle that was then commencing had the most telling effect, were ascribed to the witty monks. Besides the founder, some of the most distinguished were Curran, Day—a senior fellow of Trinity college, Dublin,—Arthur Browne and Stack, who were also fellows, the Earl of Charlemont, Hussey Burgh, Corry, Daly, Judge Day, Charles Doyle, afterwards a major-general and baronet, whose cry of *Fag-a-bealach!* ("clear the way!") at the landing of Aboukir, became the motto of his regiment,—the Earl of Mornington, Henry Grattan, George Ogle, the author of that charming ballad "Molly astore"—Sir Michael Smith, Mr. Ponsonby,—Arthur Wolfe, afterwards Lord Kilwarden, all men of high repute in their generation. This society lasted till 1795, but as its members dropped off one by one, and only a few were left, melancholy took the place of mirth at its meetings.

In the House of Commons, Mr. Yelverton had an active and effectual part in the struggle for the commercial and legislative independence of his country. He had also the rare wisdom to see where to stop, and to mark the point where a popular revolution had gone to the utmost length to which its results could be salutary, and at which reaction or a dissolution of society would be the result of carrying it further—a wisdom more wanting in Ireland than elsewhere, as well from the moral constitution of the people as from the peculiar circumstances of the country. At a period when the volunteer movement had performed the function of an irregular remedy for a singular disease—and was becoming in itself a more dangerous disease than that which it had remedied, Mr. Yelverton was one of those truly consistent men whom the cant of party consistency did not prevent from resisting the arrogance of an unconstitutional faction. He saw the fetters that were being forged for the emancipated legislature; he was not deaf to the revolutionary maxims that were then beginning to breathe from rank to rank, and foreseeing what must be the result, he, following the lead of Henry Grattan, loved his country well enough to put himself under the accusation of forsaking her cause. In the administration of the Duke of Portland he took a frank and manly part in opposition to many dear friends with whom he had been accustomed to feel and act, and opposed the violent proceedings of the convention of delegates. In 1782 he had been appointed attorney general, his promotion being solely due to his place and reputation at the bar, and not to his having as yet withdrawn his support from the party which was upholding

the interests of Ireland. Of course the opinion, and in some measure the conduct, of a sound constitutional lawyer were to be calculated on; but there was at the moment a disposition on the part of the government, having made such considerable concessions as were calculated to satisfy any honest patriot, to reap where it had sown, and obtain the assistance of the moderate members of the popular party. It was as attorney-general that Mr. Yelverton was called on to take the lead in that stand made by the commons on November 29th, 1783 (the year after his appointment), against Mr Flood's motion for leave to bring in a bill of parliamentary reform. We have already related the circumstances, and quoted an extract from Mr. Yelverton's speech upon that occasion.\* The able and spirited resistance of the attorney-general had the more weight from his long support of the popular party, and decided the fate of motion. The ground of his opposition was that it was the dictate of an armed body. After some expressions of praise due to the former merits of the volunteers, he added with considerable force, "but when they turn aside from this honourable conduct,—when they form themselves into a debating society, and with that rude instrument the bayonet, probe and explore a constitution which it requires the nicest hand to touch, I own my respect and veneration for them is destroyed. If it will be avowed that this bill originated with them, I will reject it at once, because I consider that it decides the question whether this house or the convention are the representatives of the people, and whether this house or the volunteers are to be obeyed." His services on this occasion conscientiously rendered were no doubt deserving of recognition; and the position of attorney-general, then as now, was necessarily the step to higher honour. In 1784 he was nominated to the privy council and raised to the bench as Chief Baron; and in 1795 to the peerage by the title of baron Yelverton of Avonmore. His politics had led to some alienation from old friends, and his judicial duties now to a great degree withdrew him from politics, and lessened the opportunities for renewing friendly relations. Mr. Curran was one of those old companions from whom he was thus alienated. In a trial on which Lord Avonmore sat as judge, Mr. Curran was one of the counsel for the defendant, and took occasion to appeal to the sensibility of his old friend, in the following allusion to the meetings of the club:—"this soothing hope I draw from the dearest and tenderest recollections of my life—from the remembrance of those attic heights and those refectons of the gods, which we have spent with those admired, and respected and beloved companions who have gone before us; over whose ashes the most precious tears of Ireland have been shed." Here Lord Avonmore could not refrain from bursting into tears. "Yes, my good lord, I see you do not forget them. I see their sacred forms passing in sad review before your memory. I see your pained and softened fancy recalling those happy meetings, where the innocent enjoyment of social mirth became expanded into the nobler warmth of social virtue, and the horizon of the board became enlarged into the horizon of man—where the swelling heart communicated the pure and generous purpose—where my slender and younger taper

\* Life of Lord Charlemont, p. 168.

imbibed its borrowed light from the more matured and redundant fountain of yours. Yes, my lord, we can remember those nights without any other regret than that they can never more return\* for

“ We spent them not in toys or lust or wine,  
But search of deep philosophy,  
Wit, eloquence, and poesy:  
Arts, which I loved; for they, my friend, were thine.”

The sequel of this incident is truly and affectingly characteristic. The two poor boys of Newmarket village school, one now chief baron of the exchequer, the other first advocate and orator of the Irish bar, were thus reconciled to each other. The “moment the court rose, his lordship sent for his friend, and threw himself into his arms, declaring that unworthy artifices had been used to separate them, and that they should never succeed in future.”\* Lord Avonmore, as we have said, in his later years took little part in politics; he opposed the government on the regency question, but was, we are sure, from conscientious convictions—indeed his high station put him beyond the imputation of baser motives—in favour of the legislative union. In December 1800 he was advanced to the rank of viscount in the Irish peerage—an advance which, while it cannot for an instant be supposed to have been accepted as a bribe, as many similar honours were at this period, was undoubtedly bestowed in recognition of political support. Lord Avonmore, after a long and honourable life,—from the peasant to the peer,—expired in the autumn of 1805 in his sixty-seventh year.

SIR BOYLE ROCHE, BARONET.

BORN A.D. 1743.—DIED A.D. 1807.

FEW men of his day are more frequently named by contemporary writers than Sir Boyle, owing to the singular position he held in social and political life. In public affairs he played the comic part with considerable success; and his memory is interesting for the stray gleam which it reflects of the social characteristics of his times. Born of a respectable family—a junior branch of the Fermoy—he obtained a commission in the army and served in the American war. He was fortunate enough, on retiring from the service, to obtain a seat in the Irish house of Commons, and enlisted from the commencement in the ranks of the Treasury bench. Sir Boyle was as little likely as any Irishman to hide his light or to remain in obscurity from excess of modest reserve; and his usefulness was soon acknowledged by the bestowal of a pension and the appointment of master of the ceremonies in the Viceregal Court. For this position he was eminently qualified by his handsome figure, graceful address, and ready wit—qualities which were set off by a frank, open, and manly disposition, not always the ornament of that gaudy and perfumed station. The stilts of formality and stays of fashion were needless in the wardrobe of the true Irish

\* Life of J. P. Curran, by his son, W. H. Curran.

gentleman of the old school; and the English functionaries who came over prejudiced against the manners of the Irish, and at the same time curious about the social powers and failings, the wit and blunders of which they had heard so much, found themselves agreeably enlightened by the fortunate combination of polished manners with the most native humour and spirit which met them on their first introduction to the Castle, in the person of Sir Boyle Roche. His qualifications, however, were soon to find a wider field of display, and a more important if not more dignified office. The taste for fun and humour pervaded all classes in Ireland to an extreme degree; and whether the notion was suggested by the effect of some parliamentary blunder of more than usual felicity, or was the pure suggestion of administrative wisdom, it is certain that Sir Boyle's amusing gifts were systematically made use of by several ministers; and whenever it was necessary to cool the heat of debate, to meet with ridicule arguments which could not be answered, or to break the force of plain statement by the brawn shield of burlesque, the rich mellow brogue of the parliamentary jester was heard above the uproar of debate. A happy knack of twisting facts or ideas into some unexpected form of comicality, enabled him to give that turn to excited passion which deprives the orator of the better part of his power, and compels the accumulated indignation or obstinacy of a popular assembly to evaporate into a harmless laugh. Endowed in a very high degree with this useful qualification, it is easy to see how effectually he might be sometimes called up to uncharm away the effect of a kindling address from Grattan, or to retort the delicate and classic wit of Curran by a whole drove of rampant comicalities of Munster. There is undoubted evidence that Sir Boyle was designedly used for this purpose by the Irish government. His own odd style, it was frequently observed, was set off by marks of graver and more elaborate consideration than could be easily reconciled with the general opinion entertained of his habits and character of mind; but it was not generally known that it was usual for members of the cabinet to write speeches for him which he committed to memory, and, while mastering the substance, generally contrived to travesty into language and ornament with peculiar graces of his own. On many of these occasions he was primed and loaded for action by the industry of Mr. Edward Cooke, who acted during several administrations as muster-master to the wisdom of the Castle. But still his best and most distinguishing efforts were made on those occasions when he was carried forward by the felicity of his own genius. Of the many curious anecdotes which are related of him in parliament we can only notice two as specimens of his humour. Mr. Sergeant Stanley, who had taken unusual pains in preparing a speech of considerable force and effect, and to make sure of success, had committed his well conned oration to paper, happened to sit near Sir Boyle in the coffee-room of the House, studying his speech. Suddenly the person who had been speaking ended, and Mr. Stanley rushed out to seize the next opening; in his hurry he let the composition drop upon the floor without perceiving it. Sir Boyle picked it up, and, reading it over, was thoroughly master of its contents. He returned to the House where Mr. Stanley continued watching for his opportunity. Sir Boyle and he rose to speak together, when the general cry of the House decided for

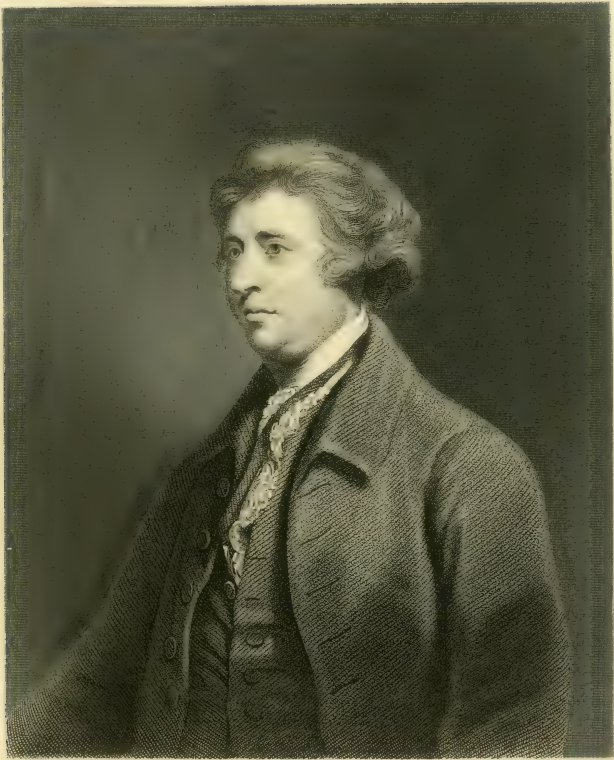


the wit and humorist. Sir Boyle at once gravely delivered the whole oration, word for word, to the astonishment and dismay of the enraged author, who rose and walked into the coffee-room. When Sir Boyle had made an end, he followed and thus addressed the subject of his exploit :—"My dear Stanley, here is your speech again, and I thank you kindly for the loan of it. I never was so much at a loss for a speech in the whole course of my life : and, sure, it is not a pin the worse for the wear, and now you may go in and speak it again yourself as soon as you please." On another occasion the table was loaded with an enormous pile of papers, which had been accumulated by the successive demands of one of the opposition members, with a view to illustrate some motion. When this motion was about to be proposed, it was moved as a necessary preliminary, that the clerk should first read to the House the documentary mass on the table. The proposition was received with general consternation, as the reading could not be completed in less than two hours. A loud murmur arose through the benches on all sides of the House; on which Sir Boyle gravely rose and moved that a dozen or two of the committee clerks should be called in and have the documents distributed among them, when, by reading all together, the whole might be done in a quarter of an hour. A loud laugh dissolved the cloud of impatience, and the question was postponed to enable the mover to make some more convenient arrangement. It may be conceived that in the stormy crisis of 1782 Sir Boyle Roche was of considerable service to the administration, and it was in that year that he received his baronetcy. He continued for many years to take a conspicuous, though, of course, practically unimportant, part in politics. He died in Dublin in June 1807, regretted by a large and respectable circle of friends, whom his amiability and many attractive social qualities had greatly attached to him.

#### EDMUND BURKE.

BORN A.D. 1728.—DIED A.D. 1797.

THERE is no name of which Irishmen may so justly feel proud as of that which stands at the head of this memoir. Although England was the scene of the greater part of Mr. Burke's career, and that part of it which falls within the local history of Ireland would not entitle him to notice in historical biography, yet he preserved his nationality to the end so openly and unmistakably, that, even when entirely engrossed with imperial concerns, he never seems to lose his claim on the Irish biographer. We see the fact of his being an Irishman impeding his progress; we see him bearing his country's reproach, but never denying his extraction—more than can be said for some other illustrious men of Irish birth. This gives him a strong claim to be respectfully remembered by his countrymen, whose reputation for eloquence and genius no man has done more to advance. It is needless to endeavour to trace Mr. Burke's pedigree; it may well be that he had no ancestor so illustrious as himself; but that he belonged to that high-priesthood of genius which has neither beginning nor end of days, which derives none



Edm Burke



of its lustre from ancestors, and seldom transmits it to descendants. His father—for we need go back no further—was an attorney in good practice on Arran Quay, Dublin, and his mother a Miss Nagle, of Mal-low, in the county of Cork. Mrs. Burke was a Roman Catholic, and her only daughter, Juliana, was brought up in that faith; while the boys, following their father, were brought up as members of the Church of England; but we may be sure that the circumstance of Edmund's mixed parentage had a fortunate influence on his education, and prevented his imbibing that extravagant hatred of Romanism which has been so very injurious to Ireland, making its Protestantism so ultra-Protestant, and its Romanism so ultramontane. Bigotry has had a stunting and mischievous effect on the intellectual development of the nation; for no man, however great his intellect, can fail to suffer in all his judgments, from being insane on any one point. It so happened that Mr. Burke spent the greater part of his childhood with Roman Catholic relations, and it is rather a matter for surprise that no effort seems to have been made to influence his mind on religious matters. The intolerable odours of the Liffey, which have often driven the judges from their courts, made the air of Arran Quay disagree with the young statesman's health, and he was, in consequence, sent to his mother's relatives in the county of Cork, and spent some happy years between the farms of his grandfather and uncles. In this neighbourhood Spenser wrote his "Fairy Queen;" not far off was the grass-grown ruin of Kilcolman castle, where his child was burned; and the romantic reaches of the Blackwater, were, to the boy's imagination, still haunted by the poet's spirit. In the village school, presided over by a schoolmaster named O'Halloran, he received his first instructions in the Latin tongue; and when, as a great man, he afterwards visited the home of his childhood, there was a touching meeting between the statesman and his first preceptor; and the old man who came to see Burke at Coolbawn went away glowing with pride and pleasure at his affectionate reception, and with as many guineas as his old pupil could spare. In the year 1771, Edmund Burke was sent to the famous school of Ballitore, then conducted by Abraham Shackleton, as for three generations it was successfully conducted by his descendants. Mr. Shackleton, himself a Quaker, had been invited over from Yorkshire by the Society of Friends to assume the management of their school in the county of Kildare; conducted on the principles of that society, it was distinguished by a gentle and elevated moral tone, very unusual in those days. Quakerism is peculiarly tolerant and broad-minded, and has always judged the Roman Catholic Church with more fairness and charity than have been manifested towards her by any other Protestant sect; and Mr. Burke in this respect, as in others, received the Quaker stamp of character. With Richard Shackleton, the principal's son, he formed such a friendship as can only be formed in early boyhood; and which, when their positions and careers lay far apart, and their common interests narrowed, never lost anything of its tenderness. Mr. Shackleton noticed in his son's little friend an aptitude of understanding, which made him bestow much pains on his education; and although Richard Burke, his younger brother who accompanied him to school, was considered by many a brighter and more promising boy, the master formed a different and



juster estimate. Edmund was still sickly, of a dreamy and speculative disposition, shy to strangers, seldom joining in the games of the boys, and never so happy as when alone with his book. But while he held aloof from their out-door amusements, his conversational powers made him extremely popular with his schoolfellows, and in the boy parliament he was an illustrious speaker. The copiousness of his language was equalled by the abundance of his ideas, in the arrangement of which he possessed an intuitive tact.

In 1743, having spent two years at Ballitore, he entered Trinity college, Dublin, under the tuition of Dr. Pellisier. Here he seems to have been, as he was at school, a dreamer of dreams, given, as we learn from his correspondence with Richard Shackleton, to solitary rambles and meditation, moved to great yearning by sunrises and sunsets, moderately attentive to collegiate studies, and moderately successful in competition for prizes. He obtained the classical scholarship in due course; but the dons, as usual, were quite unconscious that a genius of the first magnitude was passing through their field of vision. Burke was a statesman even at school, while successful collegians must be schoolboys at college. He was soaring far away in distant and irrelevant fields of thought and study, strengthening himself on food that his preceptors knew not of, while he should have been taking in that dry and unvarying store which is appointed for students of all generations. In the young men by whom he was surrounded there was little to emulate; and a sense of complete superiority left no room for ambition.

He seems to have been subject to intellectual crazes or enthusiasms; at one time for mathematics, at another for history; again for logic and metaphysics, then for poetry; and these possessions drew him through painful courses of thought and reading, in which his whole heart and soul were engaged, and he came out of them with a great augmentation of thought, material, and general culture. Metaphysics seem to have specially occupied his attention—he studied the works of Hume and Berkeley with much interest. His own first literary essay was in this direction, but he was, happily, not seduced very far into a path so unprofitable and barren of results. Burke's mind was not one that could take in without giving out. We have already noticed his extraordinary power in conversation, in which he ranged far above and around the minds of his associates, astonishing them by his brilliancy and fertility. His spirit moved at ease under armour which might encumber less massive powers. Social in his temper and affections, he was no less himself in the lighter play of human intercourse. Ever cheerful, kindly, and full of the happiest spirits, playful from the activity of his mind, gentle and courteous from the absence of all sense of emulation, he accommodated himself to the understandings of his company and to the temper of the hour. His fund of anecdote was inexhaustible, but not fatiguing; his narrative graceful, easy, and pointed; his wit so much in keeping with the occasion, that it was rather felt than distinctly noted: it was the brilliant and tinted ripple on the perpetual stream. With such rare and singular attractions, his company was acceptable in every circle, and he rose almost at once to a distinction beyond his years and station in society. The same qualifications of address and conversa-

tion which drew from Dr. Johnson the well-known remark, that "if Burke was to go into a stable to give directions about his horse, the hostler would say, 'We have had an extraordinary man here,'" was often exemplified in the incidents recorded by his biographers. Poetry was another channel in which the outward stream of thought flowed in Mr Burke's college days, but fortunately this, too, passed away like his metaphysical craze, after affording a harmless outlet for the youthful activity and aspirations of his mind. Probably he possessed too much solid material, and too little sentiment, to have made a high-class poet; nevertheless his verses, written in the style of a school that is now classical, but has ceased to be popular, had, as might be expected in anything from the pen of Burke, considerable merit. The great orator frequently begins by attempting to be a poet; the geniuses of the two, while essentially different, are superficially so like, that there is much excuse to be made for the error, particularly in one who has never had opportunity of finding out his real excellence. This opportunity soon came to Burke. In 1747 he assisted in founding the debating society of Trinity college, which, under the title of the College Historical Society, exists to the present day in full vigour. From a manuscript book of transactions, chiefly in Burke's handwriting, the following interesting details were collected by a late auditor\* of the Society:—"The first meeting of the club took place in George's Lane on the 21st of April 1747; it met on Tuesdays and Fridays. On Tuesday an oration was spoken upon some given subject; on Friday a speech was spoken off, with proper emphasis and action, and a written paper was given in on a given topic on morality. . . . The speeches were written and then delivered from memory; and it was not an uncommon event to see such an entry as this—'Mr. Ardesoif had not his speech off by heart; his paper on Drunkenness was returned to him to correct, and he was ordered on next Friday to produce one on Love.'"

Edmund Burke was the life and soul of this Society; he seems to have been made censor, treasurer, and secretary, all in one. The young statesman in that small community exhibited that control over his fellow-creatures, and that affluence of imagination which afterwards marked his career in the English House of Commons. He spoke frequently in such assumed characters as these—Of Brutus, on the death of Lucretia; of a Roman senator against Cæsar at the time he went to command in Gaul; and of Ulysses on his embassy with Menelaus to recover Helen. His speech on this last occasion is entered on the minutes, and is very different from those which we are accustomed to hear now, and would no doubt be regarded as rather childish. He thus addresses the members:—"Witness, O Jove, who inhabit Ida, how I blush for Paris, for Priam, and for Troy. Laomedon once brought destruction on this city. Let his example warn you, Priam, lest it suffer the same fate under you. I am no Greek; I come not to avenge any injury I have received. No; I was led here by my desire for Menelaus, and my regard for justice, and to seek the reparation of his injuries.

\* The Rev. Robert Walsh's Opening Address, 1864. The transactions alluded to were in the possession of Judge Berwick, whose intention it was to leave them to the College Historical Society; but at his death they passed into his executor's hands.

How do you hope for the favour of the gods if you do not surrender Paris, that ravisher?" &c.

But if the future statesman's wonderful powers were first developed here, so also, curious to say, were his defects. That blemish which followed him through life, and marred the effect of some of his greatest speeches, is recorded on the minutes of this club; for we read on the 28th of April 1747, "Mr. Burke, for an essay on the Genoese, was given thanks for the matter, but not for the delivery." In the mimic warfare of this Society the young statesman learned to use the mighty weapon of speech with which he was girded by nature. Nor was his pen idle. There is good reason to suppose that he was the author of several essays in imitation, as it was generally believed, of the style of Dr. Lucas, and pushing his principles to their extreme consequences. There is a great presumption in favour of supposing that this was the intent of the essays, and that Burke was really their author, when we recollect that he was undoubtedly the imitator of Bolingbroke a few years later—thus justifying the suspicion in the former instance so generally entertained.\* These essays were such good copies of the doctor's style, and the *ad absurdum* application of principles was done with such clever plausibility, that for several weeks they were perused with unsuspecting gravity before the Irish public began to laugh at the deception which had been practised upon it.

Having completed his undergraduate course, and taken his degree of Bachelor of Arts at the spring commencements, February 1748,\* Mr. Burke, who had entered his name at the Middle Temple in the previous year, proceeded to London to keep his terms. Did our space permit, it would be interesting to record the future statesman's first impressions of the House of Commons, listening, from the place appropriated to strangers, to those with whom he was at no distant time to contend, almost unaided, a very Samson of debate. His first visit to Westminster Abbey, also, moved him deeply. Some fragments of correspondence of this date, preserved by his biographers, show that the great associations and large atmosphere of London had a powerful influence in developing his mind. Nevertheless, several years of desultory life followed—years in which he tasted the pleasures of a virtuous Bohemianism—not very strong in health, and extremely low in purse—recruiting the latter but slenderly by literary pursuits—gaining little law, but many friends among law-students, and alienating his father's affections and supplies of money by his want of steady application to legal studies. It was, indeed, irritating to the good attorney, who so well knew his son's great abilities, to see him turning them to no practical account, and drifting away with such a fine cargo from the very mouth of the haven for which he was destined. No doubt Mr. Burke would have made a great lawyer, but that was not his ambition—most inexplicable to an attorney! His philosophic temper was dissatisfied with the narrow, and, in some degree, fictitious range of an artificial science; he considered that it closed and

\* Mr. M<sup>r</sup>. Knight (Life of Burke, p. 35) seems to imply that Burke wrote the essays in good faith, without any design of imitating Dr. Lucas, about whose plain, straightforward style, he thinks there was nothing to imitate. This is more flattering to Lucas than to Burke. We cannot agree with it.

† In 1751 he proceeded to the degree of M.A.

narrowed the mind, and he could not relinquish the clear and broad horizon of history, politics, and speculation, for the bounded compass of the special pleader's desk. Mr. Burke was not a man whom chains suited, even though the chains were golden; accordingly, he remained free, waiting for his vocation. It is said that at this time, while thus unattached, he became a candidate for the professorship of Logic in the University of Glasgow, and that a Mr. James Clow was preferred by the electors; but this story, which rests on the authority of Mr. Taylor, at a later period principal of the university, is improbable in the highest degree. There is nothing to justify it in the works or correspondence of Burke; he had done nothing at the time to entitle him to become a candidate; and, in any case, he could not have entertained a notion so very wild as that an Irishman would be appointed to a chair of logic in Scotland, the most logical of countries. Adam Smith, by whom the chair was vacated, and who supported the candidature of David Hume, entirely disbelieved the story; and, in a conversation with Dugald Stewart, attributed its origin to an observation of his own on the subsequent appearance of the *Essay on the Sublime and Beautiful*—that if the writer of the essay would accept a chair in their university, he would be a valuable acquisition. As yet Mr. Burke was nameless—engaged in various and extensive reading, and in the projection of several literary works. He was in the habit of frequenting the Grecian Coffee-house, Devereux Street, Strand, and there his brilliant conversation obtained for him many acquaintances, and opened the way to a number of pleasant intimacies. At the London theatres he was a frequent visitor, and his acquaintance with Murphy the actor introduced him to Garrick, Macklin, and other chief performers. Macklin had set up a debating society (the British Inquisition), at which Burke may probably have exercised his oratorical gifts; and there is reason to suppose that he was a speaker at the Robin Hood Society, which was presided over by an eloquent baker, who kept a sort of school of rhetoric for young Templars and members of parliament. As the remittances from home diminished, Burke had to hunt more sedulously for a livelihood with his pen. His father, who was a man of violent temper, finding that he let term after term pass without being called to the bar, took this inconvenient way of expressing his disgust. He said to Joseph Emin, whom he met in St. James's Park, and assisted through the darkest and lowest pass of his wonderful life, in offering him half a guinea, that he too, like the young Armenian, was a runaway son. There is reason to think that he was greatly straitened in means, notwithstanding the great success that attended his literary adventures. He wrote for the periodicals of the day; but the first of his essays which has become distinctly known to the public was his *Vindication of the Laws of Natural Society*, published in 1756, two years after the publication of Bolingbroke's posthumous works. The imitation of this author's style (*Letters on the Study of History* being especially copied) was so well done, that Mr. Mallet, the editor of Bolingbroke's works, considered it necessary to make a formal declaration that the essay was not from his lordship's pen. In this essay Burke traces all the ills of mankind to the artificiality of the social structure; and the happy adaptation to his purpose of the style and manner of the splendid charlatan, and the sagacity with



which in a narrow compass he selected all the most effective considerations, have been the admiration of his critics. But it has been observed, not without reason, that he furnished the armoury of his opponents, the infidels and extreme democrats of the age; and that Godwin and Paine drew their main arguments from his powerful ironies. Irony is a dangerous weapon in defence of religious truth. Although the *Vindication* attracted considerable notice, it was by the *Essay on the Sublime and Beautiful* that Burke was first raised to decided fame. Its publication was attended by unbounded applause, and elicited from all sides most gratifying tributes of admiration. Johnson gave it the warmest praise; and Burke's father, who could appreciate success, though not the sublime and beautiful, marked his approbation by a remittance of £100, which, together with the sale of the volume, enabled the author to extricate himself from pecuniary embarrassments.

In the "*Philosophical Inquiry into the Origin of our Ideas of the Sublime and Beautiful*," to the second edition of which Burke prefixed a preface and a brief discourse on Taste, he bases the sublime on fear, the beautiful on love. The feeling of the sublime arises from a giddiness, or a distaste intensified to horror, &c. Beauty consists of positive qualities acting on the mind mechanically through the senses. On the merits of the essay we cannot enter here; it has long ago experienced the sifting to which such writings are destined; the theories have been rejected—the eloquent descriptions and discriminating observations retained. Its publication was a turning-point in Burke's life. His acquaintance was widely sought for, and he became the most distinguished figure in the circle which Boswell has so obsequiously drawn. The sagacious penetration of Johnson was in nothing more displayed than in his prompt and true estimation of Burke, and the depth of the impression is shown by the frequent repetition of the remark of Burke's superiority to all others—that he was the "first everywhere;" that "if you were driven by a shower of rain to take shelter under the same gateway with him, you must in a few minutes perceive his superiority over common men." Nor was there any occasion in his life in which the mention of Burke did not draw some comment to the same effect from the social autocrat who recognised no other rival in conversational ability.

Some time previously to this success Burke had married. An attack of debility, consequent on over-exertion in reading and writing, was the means of introducing him to his wife. He applied for advice to Dr. Nugent, a Roman Catholic physician of eminence; and the doctor, who was a man of culture and scholarship, was so won by the captivating address of Burke, that he invited him to remain under his care in his own family. An attachment soon sprang up between Miss Nugent and her father's interesting patient, which resulted in a most happy marriage. Mrs. Burke conformed to the Church of England, and this does not seem to have caused any estrangement with her own family. Notwithstanding the literary reputation which Burke had already attained, the penuriousness of his father, who out of a very large income allowed him but £200 a year, and the still greater penuriousness of publishers, again reduced him to such pecuniary embarrassment, that he began to think of emigrating to America, and would

probably have carried out the idea but for the substantial assistance given him by his father-in-law, who was entirely opposed to the scheme. It had probably originated in the interest which the compilation of a work on the European settlements in America had led him to take in the colonies. He had a hope of being able to obtain colonial employment from the government, but being dissuaded from applying for this, he turned his thoughts to the diplomatic service, and in February 1759 tried for the appointment of consul at Madrid, but was unsuccessful in his application. In the same year he commenced the *Annual Register*, for the editing and historical writing of which he received but £100 a year. The first volume contained a complete account from his pen of the Seven Years' War to the end of 1758. It was at this time that he was introduced by the Earl of Charlemont to Mr. William Gerard Hamilton, whom for two years he supplied with ideas; and at last, in 1761, when Mr. Hamilton was going over to Ireland under Lord Halifax, Burke was appointed his private secretary. In this position he was able to make himself of immense use, not only to his immediate employer, but to render important assistance to the government in public affairs. It is stated by Prior that he was employed as Hamilton's deputy in the management of the House of Commons. His ready and eloquent pen, and his singular power of digesting and arranging documents, were probably called into laborious requisition. Mr. Hamilton kept a giant, and he made him work. We cannot help thinking that the Chief Secretary's great speech in favour of allowing the Portuguese government to raise Irish Catholic regiments—the Catholics not being allowed to serve in the British army—was the composition of Burke. It is true that the famous oration from which Hamilton derived his nickname of "Single-Speech," was made in 1755 in the English house in support of Fox and Newcastle, and long before his acquaintance with Burke; and he made a second essay, which was, however, less successful. But his general ability was evidently much below the level of his English speeches, and the soubriquet bestowed upon him rather implied surprise at his making a great speech, than at his not repeating the performance. The high possibility that his English oration was prepared for him by some non-parliamentary genius, does not preclude the likelihood that his great orations, of which he spoke five in the Irish house—the best being the speech we have alluded to on the Portuguese regiments, which is so often confounded with his great English speech—were written by Burke, and delivered by Hamilton. The latter was known to learn off his speeches from paper, and the former was at his elbow, as his private secretary, with an inexhaustible store of argument and eloquence. Combining this with facts that Hamilton was extremely mean and devoid of principle, and that when Burke left him he made no more great speeches, but shrunk into his natural dimensions of insignificance, and that he exhibited the most extraordinary anxiety to retain Burke's services—in fact, the anxiety of a man to keep his brains rather than to retain a private secretary—and that Burke's style is strongly apparent in Hamilton's remains, we have the raw materials for a strong opinion on the subject. It is probable, on the whole, that the duties of private secretary were extremely disagreeable to a man of high honour; managing the house, as it was then managed, was not an edi-

fying employment; raising a third-rate man to the position of a great orator by the loan of his abilities was mortifying; and the treatment of the Roman Catholics, which he had not power to improve, was, he considered, during the whole period of his engagement, savage. There is no doubt that in all the principal measures of the administration he had an important share; but though he in this way derived both reputation and experience, the policy of government was not such as a patriotic Irishman could approve; and the miserable pension of £300 a year, procured for him with apparent difficulty through Primate Stone and others, was a poor recompense for the painfulness of such a position. That Burke's labours in Ireland were not inconsistent with his reputation, may be inferred from his enjoying the intimate friendship of such men as Langrishe, Monck Mason, and Lord Pery; but still we cannot help feeling that while he retained his pension, he was in a galling bondage. This pension was on the Irish establishment, and during pleasure; it was regarded by Mr. Burke as the well-earned reward of his public services, though it is evident that Mr. Hamilton saw, or pretended to see, the matter in a very different light. As this transaction has been misrepresented, we must enter on an explanation; although now, when the malice of enmity or faction has long passed away, and his memory stands out lofty and clear, a very brief notice of the transaction will suffice. The facts are these:—Being little the better off for his father's death, which occurred about this time, and his means being straitened (he was now the father of two children), he stipulated, in taking the pension, that he should not be debarred from following out his literary plans. On Hamilton's dismissal by the Duke of Northumberland, Burke accompanied him back to England in the same capacity as before; but Hamilton, fearing that he might be deprived of his services by some one else, proposed to make him an allowance from his own income in addition to his pension, and to have him as a sort of domestic mentor, binding him down to take no other employment. On Burke's refusing to make such a bargain, the quarrel arose. He was represented as wishing to appropriate a pension which had been obtained for him in recompense for services which he now refused to perform. It so happened that Hamilton had in reality little share in obtaining the pension, as was afterwards ascertained; but to avoid any imputation, he offered to hand it over to Hamilton, to whom it continued to be paid for some time after Burke had relinquished it. These facts were ascertained from a letter found among the papers of Flood, in which the whole story was strongly and bitterly stated. In this letter Burke said that, on the score of long and intimate friendship, he had continued with a kind of desperate fidelity to adhere to Hamilton's cause and person, though to himself he had fulfilled none of his engagements; "and his conduct on public affairs has been for a long time," he adds, "directly contrary to my opinions, very reproachful to himself, and disgusting to me." He calls the proposed compact "an insolent and intolerable demand, amounting to no less than a claim of servitude during the whole course of my life, without leaving me at any time a power either of getting forward with honour, or of retiring with tranquillity."

Mr. Hamilton, with a meanness scarcely credible, received and applied

to his own use the pension which had been granted to his former secretary by the Irish government, and which certainly, if continued at all, was not continued for the purpose of paying a retired minister's private secretary, still less of going into that minister's own pocket. Fortunately Mr. Burke, by the death of his elder brother Garret, had succeeded to a property worth £6000, and did not therefore feel the loss of his pension so severely as he would otherwise have done. Indeed, we find him at this time doing what was always his greatest pleasure—assisting genius in its early struggles—helping to send his friend Barry to study art in France and Italy, besides enlisting in his behalf more powerful patrons.

Mr. Burke had now gained official experience, and of a kind better than that of a born leader—the experience of a man risen from the political ranks, and who had acquired a complete mastery not only of the great principles, but of the details of public questions. His reputation had preceded him to London, and he was soon given an opportunity of exercising his political talents, not only on the side of his convictions, but where, owing to the weakness of his party, they were sure to be most conspicuous. Lord Rockingham's Whig ministry had just been formed on the dismissal of Grenville. Never was there a weaker combination in everything except political integrity. Chatham and his party were determined to show the country that it could not do without them. The gods had declined to govern, and the task had to be undertaken by the *dii minores*. Grafton led in the Lords, Conway in the Commons. Altogether the situation afforded a great opportunity for unknown talent. It was a few days after the ministry came into power (1765) that Mr. Fitzherbert, a member of the Board of Trade, introduced Burke to the Marquis of Rockingham, who immediately appointed him his private secretary. His relative, William Burke, who stood in the same relation to General Conway, probably exercised some influence in obtaining for him this important situation. An absurd incident, however, nearly frustrated this brilliant good fortune. The half doting Duke of Newcastle was caught hold of by one of Hamilton's friends, who represented the new private secretary of the premier as not only an Irishman, which was a circumstance of suspicion, but as one who had been educated at St. Omer's—a Papist, Jacobite, and Jesuit. Full of this dreadful report, the duke communicated his fears to the marquis, who fortunately took the honourable and open course of informing Burke himself of this communication. It is needless to say that Burke easily satisfied him of the absurdity and groundlessness of such suspicions. The marquis was perfectly satisfied; but the proud and sensitive feelings of his secretary were deeply wounded by imputations of the kind being so lightly taken up by his chief; and he, in consequence, in a letter to the marquis, declined to continue the connexion. "Your lordship," he said, "may tell me that you disbelieve these reports now, but a rankling of doubt must unconsciously remain in your mind, which at a future day will have some influence on your conduct towards me; and no consideration can induce me to stand in such relationship with any one whose complete confidence I do not possess." The marquis, struck by his punctilious pride, and really desirous of retaining the services of such a man, assured Mr. Burke



that, so far from any injurious impression being left on his mind, he felt the highest respect and esteem for his character and conduct, and should always treat him with the most entire confidence. This incident is a specimen of the unscrupulous obstacles that were thrown in Burke's way by those who could not endure that an unknown and unconnected man should by merit alone force his way into the lists where high-born knights contend. Shortly after his appointment to the secretaryship, the marquis procured his election to Parliament for the burgh of Wexford; and henceforth it was impossible that his enemies could hide his light, or limit his genius to animating puppets. The appearance of Mr. Burke in Parliament as the henchman of the Marquis of Rockingham was at a time when the political situation was most difficult and entangled. The finances were depressed by the expenses of war, the people irritated by increased burdens, and the king driven to the utmost straits to find an administration equal to the ordinary conduct of affairs. Successive cabinets had been formed and rapidly dissolved. Lord Bute had been followed by Mr. Grenville, able as a financier, but as a statesman blind and infatuated. The American States seemed to him to present a fine field for taxation; and he accordingly framed the Stamp Act to relieve the British taxpayer at the expense of the colonial. The right of imposing taxes, however, could not for a moment be admitted to reside where the colonies were not constitutionally represented; and the power of the British Parliament to tax Americans was boldly denied and set at defiance. The strong remonstrances of the colonists were supported by the most eminent members of the Opposition at home; and the active measures of combination against British trade adopted by the Americans, until the obnoxious claim should be withdrawn, had a most ruinous effect upon commerce. But, on the other hand, the right of taxation was fiercely asserted by popular feeling; the king was bent upon maintaining an imaginary prerogative; and the ministry found it equally difficult to advance or recede. The Grenville administration, unable to steer through the difficulties to which its policy had given rise, was presently dismissed; and the attempts to conciliate Pitt having failed, proposals were at length, after much natural hesitation, accepted by the moderate Whigs, who followed the Marquis of Rockingham. Burke, like the chief under whom he now took service as confidential adviser, was a Whig of the Revolution, and as such his influence was wholly on the side of the American colonists; but Lord Rockingham was pressed, on the other hand, by the domineering resolve which had strongly taken possession of the English masses to insist upon colonial taxation, the stubbornness of the king on the same side, and the whole power of the ejected Grenville party; nor were the majority of his own cabinet prepared to surrender the right of taxation. A compromise was all that was possible to the ministers under these circumstances. It was resolved to propose the repeal of the Stamp Act; but the advice of some ministers that the preamble should contain a denial of the right, was negatived by the rest; and a simple repeal to satisfy the colonies, and another Act, to satisfy parties at home, censuring their refractory conduct, and asserting the right of colonial legislation to reside in the British parliament, were the measures ultimately determined upon. It was in January

1766 that Burke first spoke in the House of Commons, the occasion being a debate on the repeal of Grenville's Act. His speech produced an extraordinary effect, and turned the balance in favour of the government. Pitt had the generosity to pass a glowing eulogium upon it, and the House of Commons was struck with astonishment at the extent of his information, the force of his ideas, and the broad currents of his eloquence. Never was such a complete success; and this first effort was followed by others equally vigorous, which showed that he had not expended all his strength upon a single effort, but that his powers in making it were at their ordinary level. The Stamp Act was repealed, to a great degree, by his astonishing efforts, but not without violent opposition; and it was, unfortunately, necessary to carry out the compromise by the reservation of England's right to do what she had already found to be impossible. Nothing could be more weak and inconsistent than this effort to save her pride while acknowledging her defeats; but it was forced upon the ministry by the court and public opinion. An act of indemnity to those who had resisted the operation of the Stamp Act followed; but indemnification was also required for those who by the resistance had suffered in property. On the whole, the Marquis of Rockingham's ministry, steered by Burke, pursued a wise and moderate policy; but the popularity which they were earning was intolerable to those who had hoped to see them fail; and even while they were succeeding in the work of legislation, their position was being insidiously undermined. They had fallen under the hapless displeasure of the court, and through the intrigues of envious rivals were at last dismissed from office; but they retired with the warmest gratitude of the country from a position into which they had been in a manner forced. Mr. Burke afterwards described the position thus:—"The household troops openly revolted. The allies of ministry—those I mean who supported some of their measures, but refused responsibility for any—endeavoured to undermine their credit, and to take ground which would be fatal to the success of every cause which they would be thought to countenance. The question of repeal was brought on by the ministry in the committee of this House, in the very instant when it was known that more than one court negotiation was carrying on with the heads of the Opposition. Everything on every side was full of traps and mines. Earth below shook; heaven above menaced; all the elements of ministerial safety were dissolved. It was in the midst of this chaos of plots and counterplots—it was in the midst of this complicated warfare against public opposition and private treachery, that the firmness of that noble person (Lord Rockingham) was put to the proof. He never stirred from his ground—no, not an inch. He remained firm and determined in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought no apology."\*

Of this praise Mr. Burke was equally deserving with his leader. In the cabinet itself, as he hinted, there had not been perfect fidelity. Grafton suddenly resigned at the pinch; Conway transferred himself to the ministry that ousted Rockingham; but Burke never wavered

\* Speech on American taxation.

In the last days of the administration, when it was plainly sinking to its ruin, he had sought the post vacated by the Duke of Grafton to give him the standing in the House of a retired minister, but the end came before the arrangement could be accomplished. He might, undoubtedly, have obtained the better position of an actual minister in Pitt's cabinet, but he at once made up his mind to remain out of office, if not in opposition, in the attitude of his party.

To avoid the imputation of staying to be looked for, he resolved on paying a visit to his friends in Ireland. Burke was one of those men of impracticable temper who are seldom successful according to the popular notions of success, but are much praised by historians. He had selected his own path; the favour of courts and profits of office were to find him there, and there alone. Before going to Ireland, he drew up a manifesto entitled, "A Short Account of a Short Administration." In a few pages he showed how much the ministry had done, and vindicated its conduct of public affairs. Wisdom is, indeed, justified of her children; and results showed that the policy of the Rockingham cabinet had been wise, more convincingly than even Burke's pen could demonstrate.

Contentment returned to the colonies; the usual taxes were paid; trade fell into its old routine; and civil authority was restored. The wound was closed, and would have been in the process of time completely healed if the action of successive administrations had permitted. It may be said of Rockingham's ministry, and of no other, that its continuance in office for a few years would most likely have turned away the disasters that were about to fall upon England and her colonies. It was long after stated by Mr. Penn, at the bar of the House of Lords, that the colonies would have been pacified, and no further consequences would have ensued, if the policy of Lord Rockingham had been adhered to.

The difficulty of forming a ministry to succeed was very great. Lord Chatham came in with a cabinet famous for its composition of heterogeneous and inapt materials. This has been immortalised in a celebrated passage in one of Burke's speeches. "He put together so curious a piece of joinery, so craftily indented and whimsically dovetailed—a cabinet so variously inlaid—such a piece of diversified mosaic—such a tessellated pavement without cement—here a bit of black stone, and there a bit of white—patriots and courtiers, king's friends and republicans—whigs and tories—treacherous friends and open enemies—that it was indeed a very curious show, but utterly unsafe to touch, and unsure to stand on. . . ."

It was in the end of the year (1766) that he returned to London from Ireland, where the reception of her illustrious son had made his mother, a homely and simple-minded old lady, very proud and happy. He was offered a seat at the Board of Trade, and the Marquis of Rockingham, anxious for his advancement, strongly advised him to accept office; but Mr. Burke, who saw the true character of the motley administration which was still in process of being formed, firmly resolved to adhere to his own party, and rejected the overtures. He consequently took his own course in the House, and soon established himself as the leader of the most powerful section of the Opposition.

For some time there was little occasion for effort, as the Chatham administration was falling to pieces under its own ill-adjusted weight. The following notices mark the course of Mr. Burke's continued ascent. We find, in a letter of his relative, William Burke:—"Our friend E. B. has acted all along with so unwearied a worthiness, that the world does him the justice to believe that, in his public conduct, he has no one end in view but the public good." Lord Charlemont, in one of his visits to London in 1767, writes to Mr. Flood:—"I some time ago sent to Leland an account of our friend Burke's unparalleled success, which I suppose he has communicated to you. His character daily rises, and Barré's is totally eclipsed by him; his praise is universal, and even the Opposition, who own his superior talents, can find nothing to say against him but that he is an impudent fellow." This exactly expresses the strong prejudice that prevailed amongst the governing classes in England at that time against admitting to their order any one not upheld by parliamentary influence, or high and weighty connection. Mr. Burke was the first who rose by the sheer force of ability. Outside his own circle the public was not prepared for the portent of an unknown and unconnected borough member starting at once into the place appropriated for the representation of great cities and counties, or the descendants of the highest aristocracy. But no impediment could prevent such powers as his from outstripping every one in the race. The hapless condition of the ministry, the helmsman of which seemed to have gone below leaving his charge a sport of the waves, which were just then troubled enough, gave Burke continual opportunities of inflicting moral defeats which the numerical strength of his opponents made all the more galling. He professed to treat as ciphers the disorganised crew that constituted the ministry, who were in fact wholly uninformed of the destination of their policy, and placed in a ludicrously helpless position by the inactivity or total absence of their chief. But a while the real adherents of Chatham were adrift, those whom he had taken in with totally opposite opinions became masters of the situation. In the commencement of 1767, the general direction of public opinion seemed to be adverse to the Americans. Mr. Grenville, the author of the original mischief, proposed to raise a revenue upon them to the amount of £400,000; and Mr. Townshend, who was Chancellor of the Exchequer, agreed in the principle, but hesitated as to the time. The Americans were already aware of the general feeling in England, and of the design entertained by principal members of the administration, and displayed on their part a strong disposition to resist. It was generally known that resistance was in preparation; a few voices were raised to forewarn, but they made no impression. On the 13th of May, Townshend moved that the Assembly of New York should be suspended for disobedience, and that the right of taxation be declared indisputable. He also introduced a bill for taxing glass, paper, painters' colours, and tea. Mr. Burke made a splendid struggle, but his opposition was overborne. In the course of that session the measures passed. All this time Chatham, who was ostensibly at the head of the government, continued in his mysterious retirement, and took no actual part in public affairs. The cabinet became at length so embarrassed that the king was driven to an effort to



organise an efficient ministry. Proposals were made to the Marquis of Rockingham, but he insisted on conditions of taking office to which the king would not accede. The American policy was the hitch. As, on the previous occasion, the marquis would have reversed the policy of his predecessors, and this the king would not hear of. The rejection of General Conway's name, on account of his being openly committed to the same policy of conciliation, further tended to make a Rockingham ministry impossible. Burke took a most disinterested part in the matter, and warmly congratulated the Marquis on his escape from an entangling position. Charles Townshend dying suddenly, Chatham was applied to again to re-form the ministry, but he would listen to no terms. After much complicated negotiation, it was pieced together again with the Duke of Grafton as premier, Lord North being persuaded to take office as Chancellor of the Exchequer. Burke refused overtures to join the new combination. In this year (1768) he had purchased Gregories, a small property near Beaconsfield, in Buckinghamshire, for £20,000. This sum he partly raised by the sale of his Irish estate, the remainder being advanced on mortgage by the Marquis of Rockingham. Possibly he was obliged also to receive assistance from his cousin, William Burke, as the expense of the purchase was considerably increased by his having to buy the marbles and pictures, with the latter of which the house was filled from top to bottom. Here the great statesman speedily became an admirable farmer. In the intervals of parliamentary attendance he pursued his country avocations with an assiduity, interest, and even skill, as great as if the breeding of fat porkers, and the sowing of his wheat, were his only end in life. In this, as in every other subject to which he turned his attention, the accuracy and extent of the knowledge that he rapidly acquired was perfectly marvellous. These quiet country pursuits must have afforded a delightful relief to Mr. Burke from his vain and arduous struggle with destiny. In consequence of Townshend's Act and other provocations, the Massachusetts Assembly sent a circular to the other colonies inviting a combined resistance. A retraction was demanded by the Government, and being point-blank refused, the assembly was dissolved by Governor Bernard. The resistance of the colonists called out severe measures. In January 1769, the Duke of Bedford moved and carried an address in the House of Lords to revive a statute of Henry VIII., by which the American patriots might be tried in England. It was also carried in the Commons in spite of a determined opposition. Owing to the violence of the people of Boston, who were determined to prohibit British imports by force, it was necessary to despatch a naval and military force to that town, by which it was for the moment overawed; but this step only aroused the spirit of the colonists, and impelled them to take more decided measures. The ministry began to feel that something must be retracted, and a circular was transmitted offering to remove the obnoxious duties; but it was now too late for compromise; the right was still maintained; and the duty on tea, insignificant in itself, still formed a ground of resistance to claims of jurisdiction which could never be conceded.

We are thus brought up to 1770, when it may be considered that all parties to this great question had definitively taken their ground in the

contest. It was in this year that Mr. Burke published his celebrated treatise on the Causes of the Present Discontents. The description of the then state of things is worthy of quotation as an important page of history from the ablest observer of the time it describes:—"Nobody, I believe, will consider it merely as the language of spleen or disappointment, if I say that there is something peculiarly alarming in the present juncture. There is hardly a man, in or out of power, who holds any other language. That Government is at once dreaded and condemned; that the laws are deprived of all their respected and salutary terrors; that their inaction is a subject of ridicule, and their exertion of abhorrence; that rank, office, and title, and all the solemn plausibilities of the world, have lost their reverence and effect; that our foreign politics are as much deranged as our domestic policy; that our dependencies are slackened in their affection and loosed from their obedience; that we know neither how to yield nor how to enforce; that hardly anything, above or below, abroad or at home, is sound and entire; but that disconnection and confusion in offices, in parties, in families, in parliament, in the nation, prevail beyond the disorders of any former time;—these are facts universally admitted and lamented." Such was Burke's view of the time. It was, indeed, the beginning of troubles which could not be foreseen by mortal eye; but the theory by which Burke partly accounted for this state of things, that it arose from the project of the court to get rid of all that opposed its despotic sway, whether the power and prestige of the peerage, or the power and prestige of men like himself, was manifestly inadequate, if not wholly untrue. It was difficult for any man at the moment to perceive that, under the apparent stability of affairs, a mighty, world-wide revolution had long been gathering which should, before it had expended its force, shake down thrones and ancient dynasties, and cover the whole surface of the world with change.

To Mr. Burke the chief interest for the years that followed was the American question; but his activity in the House as leader of the Opposition was not limited to this. There was no member who took a more general and effective part in debate and business, particularly in every matter that related to constitutional rights and the liberty of the subject. His speech in 1770, on the power of the Attorney-General to file *ex officio* informations, was a memorable effort; and in the following year he exerted himself with great vigour to carry two bills for ascertaining the rights of electors. He also framed a bill which was brought forward by Mr. Dowdeswell for settling the rights of juries, establishing them as judges of law as well as fact in cases of libel. This was rejected on the ground that it gave a power which was new, whereas Mr. Burke's design had been to establish a right which was old, as was afterwards laid down by legal authority. The year 1771 was chiefly remarkable for the birth of the Fourth Estate. Mr. Burke was greatly instrumental in effecting this happy deliverance. Many members—among others, Mr. Burke himself—had often had reason to complain of the unfair reports of their speeches in several journals, which had given rise to several angry debates. Colonel Onslow had been much attacked in the newspapers, and resolved to have revenge upon his tormentors. He moved that the printers of certain journals

should be brought to justice for infringing the order which forbid their printing the transactions of the House of Commons. Burke and Turner were the only ones who opposed. They gallantly struggled against the full torrent of irritated and aggrieved members, but their opposition was swept away; the motion was carried, and the printers ordered to appear. Some complied, others refused. After a debate, in which the minority interposed so many divisions that the patience of the Speaker was quite worn out, and such a resistance was not likely again to be lightly provoked, the Sergeant-at-Arms was ordered to arrest the refractory printers. The order failed; but in the meanwhile other delinquencies were brought under the notice of the House by Colonel Onslow. A long series of motions continued to excite the House and provoke the public mind, until one of the persons arrested adopted a new course of defence. When taken into custody by a messenger of the House, the person so arrested—a printer named Miller—sent for a city constable, to whom he gave the messenger in charge. The messenger, to detain his prisoner, adopted the same expedient. Both were brought before the sitting magistrate, who immediately dismissed the printer as not being in the custody of a legal officer. The consequence was serious, as might be anticipated, for the contest was transferred from the printers to the City of London. The passions of the people were roused into a fearful agitation. The question from a trifle became one of the deepest moment; it was whether the liberty of the subject was to be sacrificed to establish the authority of parliament. The Lord Mayor was ordered to attend. He came escorted by a furious mob, and returned drawn back to the city by the people. The proceedings went on for several days, and ended in the Lord Mayor and Alderman Oliver being sent to the Tower. Mr. Burke's speech was ill heard and not reported; but we gather from the debates that he lamented the miserable conduct of the House, which had left to itself hardly any prudent course, but adopted the most imprudent of all. The refusal to hear the prisoners by counsel he considered unjust and unconstitutional. On concluding his speech he withdrew with many of his friends; and soon after, in company with the Marquis of Rockingham and the Dukes of Portland and Manchester, went to visit Alderman Oliver in the Tower. The final result of this struggle was that the right was established of publishing the parliamentary debates.

In the year 1771 we find Mr. Burke opposing Alderman Sawbridge's motion for triennial parliaments—thus illustrating the moderation and impartiality by which he and his party were so honourably distinguished. He resolved to uphold the power of parliament against the encroachments of the Court and extreme democracy alike, but at the same time never flinching from standing out for the liberty of the subject and the public rights. Mr. Burke was perhaps, even at this still early period of his career, slowly beginning to apprehend that he stood in the dawn of a revolution, and that it behoved his party to present two fronts—one, as ever, to oppression; the other to democracy. It was this that exposed him to the charge of inconsistency, because he saw the necessity of preserving a medium and guarded course. We may mention, as another instance of the independent manner in which Mr. Burke sometimes turned against liberal measures where he thought

them premature or dangerous. In 1772, Sir William Meredith brought forward a petition signed by a numerous body of the clergy, asking for relief from the necessity of signing the Thirty-nine Articles. The debate was characterised by the irreverence with which religious matters are often treated in the British parliament. Mr. Burke was always the ardent advocate of liberty of opinion and toleration; but he at once saw that the question, in this instance, was not one of liberty of conscience, but as to the existence of the church. He took up the ground that there was no *restraint*; no one was compelled to adopt or adhere to the church, which, on the lowest view, is an institution for the maintenance of the doctrines agreed upon by those who belong to it; and to say that a church so constituted was to be administered by those who could not conscientiously assent to those doctrines, involved a direct contradiction. Any liberal movement in this direction should proceed in the way of the church herself enlarging her boundaries, and pulling down those fences which annoy and perhaps give a roving tendency to some who do not like to feel themselves in any degree confined, but not in the way of the clergy being allowed to stay outside or inside as they pleased. Mr. Burke was himself a sincere believer in Christianity; in boyhood Richard Shackleton and he had studied in the Bible together, and he was the means, about the time of which we are now writing, of reclaiming his friend Barry from infidelity.

Meanwhile the colonial difficulty was becoming more utterly hopeless and unmanageable. In 1771, Mr. Burke's efforts, and the high character he had acquired for knowledge of American affairs, obtained for him the appointment of Agent for New York. This appointment was worth £700 a year. In this position he was able to render considerable service to his clients in reference to the Quebec bill, which, as first brought in, defined the boundaries of the province in a manner that compromised their boundary. In rectifying this, his pertinacity proved successful; but on greater matters connected with the American colonies, all his eloquence, his knowledge of the subject, and almost prophetic foresight, counted for nothing. There was too great a gulf between the statesman and his hearers for his warnings to be heard across. Burke's prophecies were not, as in the singular case of the prophet of the Ninevites, frustrated by being believed. He was as correct and as useless as prophets generally prove. The affairs of the East India Company now became mixed up with those of the colonies; and probably Burke, who had been favourable to the Company previously, and formed one of the majority that exonerated Clive, was led from this circumstance to view it in a less friendly light. By the Regulating Act, the government of India was put on quite a new, and in fact an imperial basis. Warren Hastings, the governor of Bengal, was appointed the first Governor-General of India; and the directors were deprived of the power which they had enjoyed of despotic eastern princes. To make up for this dethronement a concession was made to them; their warehouses were glutted with tea, and they asked that this commodity should be relieved from duty. It was remitted in England, but the colonial port duty of threepence on the pound retained, as well to keep up the right of imperial taxation, as that the colonists might



find it their interest to pay the threepence duty in order to benefit by the large remission of the drawback in England. Burke, who had maintained the silence of despair throughout the progress of the discussion, spoke with his usual ability on the third reading, but without any hope of affecting the issue. In the beginning of 1773 he had paid a visit to Paris, with a view to the education of his son Richard, whom he decided to place at Auxerre in charge of a tutor to learn the French language. In this visit he formed a wonderfully correct view of the tendency of society in France, and the approaching rise of democracy there, which made him more than ever apprehensive of the colonial policy of England. What seemed to politicians of more bounded views a local disturbance, was to him part of the world-wide wave of revolution which filled the whole horizon. Meanwhile the king and his ministers were full of hope that their device would succeed in inducing the Americans to submit to taxation. The tea ships arrived in the port of Boston, but the snare was in vain set in the sight of the wary colonists, and they took a summary method of defeating the astute scheme by emptying the cargoes into the sea. Another circumstance still further embittered the quarrel. Some private letters of Governor Hutchinson and the Chief-Justice of Massachusetts, recommending armed force, fell into the hands of Dr. Franklin, agent for the province, and Deputy Postmaster-General for America. He published extracts from the letters, and had them circulated in all the colonies. We cannot pronounce an opinion upon the propriety of the act of publication, or the manner in which the letters were obtained; but they excited the deepest resentment in America, and a petition was presented by the State of Massachusetts for the removal of the officials implicated, which was rejected by the Privy Council, while Dr. Franklin himself was dismissed from his employment. The next step was a retributive bill for closing the port of Boston, and the removal of revenue officers; and against this Burke made an able speech on the third reading. But it was on the occasion of Mr. Rose Fuller's motion, that the House should take into consideration the removal of the tax of threepence on the pound of tea, to qualify with conciliation the harsh measure which had just been passed, that Burke delivered his great speech on American taxation. The House was fatigued; the conclusion was foregone. Burke rose to speak to a thin and listless audience. The report that he was on his legs—that he was making a great speech—soon spread through the lobbies and staircases, and a dense crowd filled the House. The whole assembly was fixed in breathless attention, and the American agents in the galleries were with difficulty restrained from applause. When the orator paused for a moment, and said that he feared that he was wearying the audience, he was answered by general cries of "Go on! go on!" Arguments, illustrations, pathetic appeals, and pointed retorts, followed each other with a closeness which did not for a moment allow the interest to flag. The previous speeches were so much the ground-work of argument, that this surpassing effort was evidently, in form and language, extemporaneous. Notes were fortunately taken by several persons present, and to this we are indebted for the preservation of some of the most perfect specimens extant of the resources of eloquence. After one of those splendid bursts that followed each other

in close succession, Lord John Townshend, who had been familiar with the former leaders of debate, exclaimed, "Good heavens! what a man is this! Where could he have found such transcendent powers?" The publication of this speech from his friends' notes produced as great an effect as its delivery; and it is known that Lord North was so impressed by his reasoning as to feel for a time disposed to retrace his steps; and he actually offered in the next session to repeal the tea duty (when it was too late, and the ill feeling had advanced far beyond the power of such a concession to allay it), if this would satisfy the colonists. The sketch of Mr. Burke in Goldsmith's *Retaliation*, from which the popular notion of his pertinacity against unfavourable audiences is principally derived, must have been written some time before this, for the work was added to from time to time, and was still unfinished at the poet's death in 1774. Mr. Burke, if he saw the intended likeness, took no offence at it. He and Dr. Johnson were the directors of the funeral.

Bills were now introduced by the Government stripping the colonists of their judicial rights, the principal being the Massachusetts Bill, which deprived that colony of its chartered privileges, and vested in the crown the nomination to all important offices. On the third reading Burke made a speech protesting against the measure, which rose to a height of sombre grandeur such perhaps as no orator has ever reached before or since; but in this most refined of assemblies he was interrupted by the noises of drunken members, and he was obliged to rebuke them indignantly.

It was about this time (1774) that Dr. Johnson and Mr. and Mrs. Thrale paid a visit to Beaconfield. Johnson, though violent in his aversion to the Whigs, made an exception in favour of the only contemporary to whom he admitted an intellectual superiority. To Mr. Burke alone he was accustomed to listen with respectful deference; and such a companion was as a volume of perpetual meditation and interest, supplying a fuel for thought which, next to the pleasure of dictation to his wondering hearers, the Doctor loved the best. Mr. Burke exercised all his fascination to make his home agreeable to his revered friend, and repressed the exercise of those powers which at other times made their intercourse less grateful to one whose ambition was colloquial victory. While wandering through the grounds, Dr. Johnson is said to have expressed his admiration of his friend's good fortune and good taste. After indulging in a fit of that thoughtful meditation to which he was accustomed, he broke silence with the exclamation, "*Non equidem invidéo, miror magis!*" In the same year Mr. Burke had the opportunity to defend the Doctor's pension in the House against Mr. Thomas Townshend.

The parliament was now drawing to the end of its existence, and Mr. Burke's prospects of a seat in the next were extremely uncertain. He had hitherto sat for the borough of Wendover; but Lord Verney, to whom it belonged, was then in embarrassed circumstances, and obliged to make money of his parliamentary boroughs, and no longer therefore able to accommodate Mr. Burke with a seat. It was suggested by Wilkes that he should be put up as the popular candidate for Westminster; but when the time drew near, a wealthier candidate appeared

in the person of Lord Mahon, Chatham's new son-in-law, and the disinterested patriot withdrew his support from the comparatively poor commoner. An idea of starting him as a candidate for Bristol had also been taken up by some of his friends, but then dropped out of sight. When at last the ministry having dissolved, the great scramble for seats commenced, Burke wrote to Lord Rockingham to intimate that, seeing no prospect of a seat, he was disposed to withdraw from politics; and on this the marquis instantly placed at his disposal his own borough of Malton. He had just been elected, and was sitting down to dinner with his new constituents, when he received a notification from Bristol, where the poll was already in progress, that his friends had proposed him as a colleague to Mr. Cruger, the other Whig candidate—the Tory candidates being Lord Clare and Mr. Brickdale—and he was invited to present himself immediately. This invitation was too flattering to be refused, and his Malton friends advised him to act upon it. He accordingly started on the evening of Tuesday, and arrived at Bristol on Thursday, after being more than forty hours on the road without stopping. He at once went to the hustings and addressed the electors, and at the end of a month's polling was elected by a good majority. In returning thanks for his election, following Mr. Cruger, who declared that he would in all things be guided by the wishes of his constituents, Mr. Burke strongly asserted his right to act independently upon his own convictions, and plainly told his constituents that he was not member for Bristol so much as member of the imperial parliament, and that it was his duty not to act as a mere delegate of a particular constituency, but to consult for the general good. This bold declaration of independence no doubt not a little astonished the worthy merchants of Bristol, but it was well received, and increased the respect with which they already regarded him. After his election, and all the speech-making and dining consequent upon it was over, he was glad to return to Beaconsfield, and had the great pleasure upon the way home of paying a visit to his son, who was now returned from France, and established in Oxford, and whose early success was giving promise of a brilliant career. Meanwhile the agitation in the colonies was increasing; the penal bills were doing their work, and binding all the States into a confederation of resistance; while General Gage, the new Governor of Massachusetts, by taking measures that pointed to the expectation of civil war, and intrenching the troops at Boston, made the people turn their thoughts in that direction. A general congress of twelve States, assembled at Philadelphia, approved of the resistance at Boston, memorialised the king and people of Great Britain, and notified to General Gage their energetic disapproval of his hostile military operations. Parliament met in November; the royal speech was decidedly warlike; and the amendments to the address proposed in the Lords and Commons were thrown out in both houses. Burke made one of his eloquent and prophetic speeches, in which he contrasted the glorious opening of the reign of George III. with the condition to which the empire was now brought, and predicted, as the consequence of the insane course the ministry was pursuing in baiting the colonies into an insurrection, their inevitable loss. Indeed, it is impossible, we should suppose, for any Englishman at the present day to read the

history of that time without feeling entirely against his own country, and entirely with the kindred people whose invaluable alliance we then forfeited. While everything tended to civil war no one seemed to care where the ship of State was drifting, and the infatuated crew mocked at the few sober men who distinctly heard breakers a-head. Lord North was said to have become irresolute, and to have been taken in hand by the "king's friends," as the creatures of the court were called. While America was arming, England was disarming—so unconscious was the government of the tendency of its policy. Burke and Fox (who was heart and soul with his friend) put out all their might against the ministry, but were always beaten in the divisions by two to one. Sir William Meredith, who had been a member of the Marquis of Rockingham's government, but had accepted the office of Controller of the Household from Lord North, constantly pitted himself in debate against Mr. Burke; and his solemn and blundering oratory found an admirable butt for the wit of his great opponent. On one occasion, which Walpole in his letters notices as a great success, Burke had described the absurd position of General Gage, as at the same time blockaded and pretending to blockade; allowing his cannon to be stolen, and making reprisals by burning his own straw, and destroying his bricks and mortar. Sir William rose and accused Burke of desiring bloodshed, and asserted that General Gage's troops had been of the greatest service in protecting the property of the merchants, in being an asylum for the magistrates, and in blocking up the harbour. Burke caused much laughter by his reply. He had heard of asylums for orphans, for thieves, and for loose women, but never before of an asylum for magistrates. The army, it appeared, protected trade in a place where all commerce was prohibited by law. As for the blocking up of the harbour, this was the first time that the world had seen an army instead of a fleet blockading a port. At the entrance of Dublin harbour there was a north and a south bull, but such a bull as this, even as a native of Ireland, he had never known. Lord North had now at last made up his mind and moved an address to the king, declaring that a rebellion existed in the province of Massachusetts Bay, and pledging the Commons to stand by their sovereign in quelling it. Burke and Fox vigorously but vainly resisted—the former asking if it was called rebellion to drown tea like a puppy-dog in Boston harbour, and in resistance to a tyrannical government. Nothing could exceed the boldness with which, at this great crisis, he spoke out his mind; and at one time there were murmurs abroad that he and some others were traitors, and ought to be sent to the Tower. But that Burke was not a man to be cowed into silence, was fully shown not only during the American war, but conspicuously in the Gordon Riots. When the Prime Minister soon after the Address proposed a bill to prohibit the American colonies from all trade not only with England and Ireland, but with the West Indies also, Burke, who felt the most intense detestation of wrong and oppression in every form, was kindled to a white heat of indignation, and used such terrible invective against the ministry that had dared to propose a measure to reduce entire trading populations of our own race to beggary, that he was again and again called to order. But he lashed himself against a



rock—the ministry stood immovable on its majority. In the Upper House an amendment was added extending the prohibition to other colonies. We fancy that, when not long after Burke wrote on his friend Dowdswell's tomb that his last efforts were spent in attempting to avert a civil war, which, being unable to prevent, he had not the misfortune to see, he must have been feeling a satisfaction in looking back upon his own efforts. The most intelligent portion of his countrymen appreciated the consistent resistance he made to the hateful policy of the majority; he received many tokens of approbation—among others, a public letter of thanks from the merchants of Birmingham.

On the first day of the session in 1775, Lord Chatham, who acted irrespective of the Rockingham party, and never failed with the rancour of jealousy to lay the blame of the existing situation on their Declaratory Act, proposed as a plan of conciliation the recall of the British troops from Boston. The Rockingham Whigs, rather than split the party, supported his proposal, though disapproving of leaving to their fate the English sympathisers among the colonists. A few days after he brought in a Conciliation Bill, by which the Declaratory Act with the other measures was to be repealed, and again took the opportunity of damaging his own friends to the utmost. Shortly after, Mr. Burke was surprised to receive a private intimation that the Government itself was about to introduce a Conciliatory Bill. It turned out, however, to be only a subterfuge. It was to permit the General Assemblies to impose taxes such as the king and parliament might lay upon them. A section of the Cabinet was indignant even at such a merely nominal concession, and it was with difficulty passed. Mr. Burke foresaw that the colonies would reject it, and his prescience was justified by the result. As it was generally said that the moderate Whigs had no policy but that of opposing the measures of others, it was considered expedient that the party should bring forward a conciliation scheme of their own, and the task was intrusted to Burke. On the 22d of March he rose to bring forward his proposals, which took the form of thirteen resolutions. As it was impossible to contrive a plan by which the colonies should be represented in the British parliament, he proposed that the power of taxation should be reposed in their own assemblies, which were, in fact, parliaments in miniature. His scheme also embraced the repeal of all the penal acts, beginning with Charles Townshend's Revenue Bill. This speech, which lasted three hours, was received with great applause, and was probably equal to that of the preceding year. It contained passages of eloquence only to be paralleled in his own speeches—passages in which the highest and most kindling imagination takes its ground on the profoundest reason, and the most permanent and vital truth. Lord Chatham remarked that it was "very seasonable, very reasonable, and very eloquent." And Mr. Fox said of it in the House, twenty years after, "Let gentlemen read this speech by day, and meditate upon it by night; let them peruse it again and again; study it; imprint it on their minds; impress it on their hearts." The majority against the resolutions was 270 to 78; but Mr. Burke's "Conciliation Speech" was published and read by every one of education, and produced a profound impression. A pamphleteering oppo-

ment sprang up in the person of Dean Tucker, who was so far in advance of his time as to assert that England would be better off without the colonies (which had caused the ruin of Spain), and that if they were to take themselves off in a passion, they, and not the mother country, would be the losers. Burke was amused at this folly, which, however, has come to be taken up seriously by the *doctrinaires* of our own day.

Meanwhile the angry separation was commencing; blood was drawn in the field, and the American war had begun. Its progress is foreign to our task. In November Mr. Burke made one more effort, in which he was supported by Charles Fox, to conciliate the colonists by a bill modelled upon a statute of the reign of Edward, and substantially giving up the right of taxation. The majority against it was 210 to 105. The minority would have been larger but for a promise that the Government was about to introduce a scheme of pacification, which turned out to be a plan for starving the colonists, called the Prohibitory Bill. After opposing this pacific measure in all its stages, Mr. Burke finally was the author of the protest recorded against it by the Opposition. During the long and unhappy civil war with our colonies, Mr. Burke continued to proclaim the errors of the war, and the righteousness of the cause against which it was waged. Right was superior in his mind to patriotism, and from first to last he was sternly consistent. It was contemplated for a time that the Rockingham party should secede, but this design was, on mature consideration, abandoned, although they abstained to a great degree from taking a part in public affairs. On the banks of that stream, however, Mr. Burke could not long remain an idle spectator of the wreck of national greatness which was passing before his eyes. On the proposal to suspend the statute of *Habeas Corpus*, to facilitate the arrest of dangerous characters, such as the incendiary who had set Bristol on fire, some of the party could no longer restrain themselves from attending in their place to oppose it; and this made the position of the others false and untenable. Mr. Burke, who was one of the members thus situated, considered an explanation necessary, and accordingly addressed a letter to the sheriffs of Bristol, which was shortly after published under that title. In this letter he boldly avowed his sympathy with the colonial cause; lamented the miseries to which people of our own race were subjected by the aid of foreign mercenaries and savages, and defended himself and his party for their secession from parliament. The question of paying George the Third's debts was considered a good opportunity for the return of the party to the Opposition benches. Lord John Cavendish moved for the discharge of the order for going into committee, and Burke made a vigorous attack on the ministry, and the corrupt purposes to which it was believed the money had been applied. Of course the Opposition was unsuccessful, but a triumph was gained a few days subsequently on the bold address of Sir Fletcher Norton, the Speaker, in presenting the bill to the king; he expressed a hope that a wise application would be made of funds found with so much difficulty; and a vote of thanks to him was immediately proposed and carried by the Opposition; and on the king's friends, headed by the truculent Rigby, attacking Sir Fletcher, the vote was more emphatically repeated.

It was about this time that Mr. Burke sustained a great loss in the death of his father-in-law, Dr. Nugent, who had always been his truest and most devoted friend.

The American struggle was now drawing to a close, glorious for the colonists, unhappy for the mother country. On the 17th of October General Burgoyne signed the Convention of Saratoga, by which he and his army surrendered themselves prisoners of war. On the news of this misfortune a furious storm burst upon ministers; but they managed to obtain a breathing-time in the Christmas recess, during which interval they not only received large voluntary subscriptions for carrying on the war, but made a considerable levy of men, without the sanction of parliament. Meanwhile the Opposition was equally busy. Burke was for impeaching the ministry as being answerable for the calamities of the nation; the Marquis of Rockingham, however, was not prepared to sanction so bold a course. On the 22d of February 1778, Fox made his great speech in favour of bringing the war to a close; the ministry had no reply, but a division, in which the minority was increased by more than half its usual strength. On the 6th Burke followed with another tremendous blow, which made the ministry stagger. His speech on the employment against the English people of America of Indian savages was one of the most brilliant he ever made. Sir George Savile said of it—"He who did not hear that speech has not witnessed the greatest triumph of eloquence within memory." It lasted for three hours and a-half, and made his enemies both laugh and cry. Governor Johnstone declared it was well that strangers were excluded, or they would have torn the ministers to pieces. Horace Walpole, in his Correspondence, says that the "parody of Burgoyne's talk" [alluding to his proclamation] "with the Indians was the chef d'œuvre of wit, humour, and just satire, and almost suffocated Lord North himself with laughter, as his pathetic description of the cis-Atlantic army 'drew iron tears down Barré's cheek.' I wish I could give you an idea of that superlative oration. He was pressed to print it, but says he has not time during the session." More likely Burke's reason for not printing his speech was the very fact that it had produced such an unequalled effect in speaking, from which its publication could only have detracted. Those greatest efforts of the orator's genius live best in the memory of the privileged audience; and there they had also better die, for their greatness cannot be fixed. In the division with which the night ended, the ministerial majority fell to eighty-six. Mr. Burke had now attained the highest position in the House; he was no longer "the adventurer" or the "impudent fellow" of times gone by, but the most respected of public men, and the most feared by his opponents. No man was allowed the same license. It is recorded that, a few nights after his great speech, one of the ministers having confessed that the navy estimates were never adhered to, and that the supplies were used in whatever way it pleased the Admiralty, Burke, who had been laboriously studying the estimates, was so enraged that he flung the handsomely-bound volume across the house at the ministerial bench, and narrowly missed the shins of the Hon. Wellbore Ellis.

At last the time came when Lord North was obliged to propose in the House the identical plan of conciliation which had been brought

forward by Mr. Burke three years before, not then as a capitulation, but as a measure of justice. The country gentlemen saw with silent astonishment the Prime Minister calmly contradicting the policy in which they had supported him for years. The Opposition were not slow to claim the moral victory; and the secret spring of the change, the treaty of alliance which had just been signed between France and "the independent states of America," was revealed by Fox, and not denied by ministers. The bill, somewhat curtailed by the king's friends, passed both Houses, and received the royal sanction; but it came too late; and a surrender which cannot be accepted is both useless and undignified. The commissioners, who were sent out in pursuance of Burke's cast-off scheme of conciliation, were obliged to retreat with the English troops, and ended by exasperating the quarrel they were sent to compose. Burke had been for some time strongly in favour of recognising American independence, and thus either averting the interference of continental powers, or else being in a position to concentrate our forces against the latter. But the party was not united in favour of this policy. Chatham was of a different opinion; and when the Rockingham section had made up their minds that peace, without recognising the accomplished fact of independence, was out of the question, and the Duke of Richmond had given notice in the Upper House of his intention to move an address for the withdrawal of the British forces from America, the great Earl came down to oppose such a policy. The conclusion of the debate is familiar—the close of that great career upon the floor of the house. Burke paid a tribute to the memory of the statesman, from whom he had been parted in life, which deeply affected the House of Commons; he supported the petition of the City that the Earl's body should be interred in St. Paul's, and was one of the pall-bearers at the funeral.

An occasion now arose in which Burke's services were required by his own country. Ireland was overwhelmed with taxation, the burden of the war being added to the usual enormous weight of jobbery, pensions, and sinecures; and when Earl Nugent moved a committee to revise the Irish laws of trade—for Burke warmly supported the motion—he declared that now, more than ever, it was necessary, when our other great dependencies had been lost, that the Irish nation should be admitted to all the privileges of British citizens. He had always been in favour of free trade, and this inclination had been the first thing to bring him under the displeasure of Chatham. Lord Nugent, meeting with no opposition to his motion, brought in four resolutions, to which Burke added a fifth—their scope being to open to Ireland the colonial trade, to permit her to sell her glass anywhere but in Great Britain, and to send her cotton yarn, sailcloth, and cordage, to England, free from a heavy prohibitory duty. The bills were read a first time before the trading community began to take alarm; but Easter intervened ere they were to be taken again, and in that interval members were made to feel the pressure of their constituents. Burke's seat at Bristol was seriously imperilled; his warmest friends were turned into bitter opponents. His popularity was already on the wane, the policy for which he had been retained being lost; and the principles upon which it was founded being now, with fatal consistency, brought to bear upon Ireland.



When the great fires took place at Bristol, Mr. Burke went counter to the popular belief that they were caused by American incendiaries, and to a certain degree turned out to be in the wrong. He now refused to go down to Bristol to allow himself to be reasoned out of his free trade principles, and his attempts to convince his constituents against their own jealousy, selfishness, and prejudice, were entirely unsuccessful. In the House, however, he was more successful. He was the most powerful advocate of the bills, and his speech on the second reading, only an abstract of which has been preserved, was a forestalment of the arguments of free-traders in the present century. He showed the groundlessness of the fears of the petitioners by the fact that their principal objection was to the removal of the restriction on sailcloth, whereas it was found that in reality no restriction existed, and that item had consequently, with his consent, been thrown out. The restriction on cotton yarn had, on a former occasion, been removed without any injurious effect. Although, owing much to those who had brought him in at Bristol free of expense, he was obliged to act, he said, in opposition to their wishes, and implied that this disagreement would be attended by his ceasing to represent the constituency. The second reading was carried by a majority, principally due to the arguments of Burke; but the opposition of the English towns became so frantic, as the possibility dawned upon them more and more of having to admit Ireland to a share in their own prosperity, that Lord North withdrew from his position of friendly neutrality, and caused the measures to be so emasculated as to be of no practical effect. But the time was very near when Ireland, for once in her history, was able to treat with England on equal terms, and to insist upon justice, and nothing short of justice, being done to her. The discussion alone had been of immense service; so many liberal declarations were incidentally made by members on the subject of Roman Catholic disabilities, that a bill was introduced by Sir George Savile for the removal of the most grievous; and another bill was introduced by Lord Richard Cavendish repealing the Act of William the Third, which prevented the Roman Catholics from having any interest in forfeited lands. These bills passed through the House of Commons, and the initiative of the English House was followed by the Irish. Burke, having sent over copies of the bills, the heads of a bill removing the Roman Catholic disabilities with respect to land, and repealing the sacramental test, were passed, and returned for the royal approbation. But this was not so readily obtained. The repeal of the sacramental test, which was proposed to please the Protestant dissenters, excited conscientious scruples in the king, and prejudiced him against the entire measure. His dislike influenced a portion of the ministry, and the bill was in imminent danger. Burke, who was enjoying his holiday at Beaconsfield, received a letter from Wedderburne, now Attorney-General, asking for information, and expressing fears for the bill. He not only replied by letter, but in person, and yet a second time went up to London to see the Lord Chancellor, Thurlow. In London he heard the worst accounts, but he was resolved to stop at nothing to carry the Toleration Bill through this crisis. He assailed the Treasury, and endeavoured to make a capture of Sir Grey Cooper; then on to Lord North, upon whom his reasoning

and earnestness had little effect; then to Lord Thurlow. To the two latter he read a private letter from Pery, the Speaker of the Irish House, saying that this was a never-to-be-recalled opportunity; and that the consequence of losing it in the present position of the empire would, in his opinion, be most disastrous, as it would be to unite against the Government the Roman Catholics and Dissenters. But the difficulty lay not with the ministers, but with the king; and in this quarter, unconsciously to himself, Burke's arguments were heard, and their unanswerable force assented to. In 1764 he had drawn up a petition to the Throne on behalf of his Roman Catholic fellow-countrymen, which had lain ever since in the hands of Dr. John Curry, and was now laid before the Lord-Lieutenant, the Earl of Buckinghamshire, and by him transmitted to the king. This paper had probably a considerable influence in overcoming the royal obstacle. The repeal of the sacramental test, which is said to have been inserted with the treacherous design of over-weighting the bill, was given up, and the measure being returned to Ireland approved, passed both Houses, and became law. Burke's part in obtaining this measure, and his efforts to procure the removal of restrictions on trade, were gratefully recognised by his countrymen. Dr. Curry, on behalf of some of his Roman Catholic countrymen, sent him £300, which he of course returned. The citizens of Dublin offered him a statue, which he also declined, saying that statues "belonged exclusively to the tomb, the natural and only period of human inconstancy;" and that "the same hands that erect frequently pull down the statue." He had already found at Bristol how ready the people are to vilify and insult their idol should he at any time prove unpropitious; and, as an independent politician pleasing his own conscience, and not to be restrained from doing so by threats or favours, he dreaded the humiliation of being dethroned from a literal pedestal in the streets of Dublin, if he should at any time forfeit his popularity among his fickle countrymen.

The defence of Admiral Keppel, who was one of the best and most popular officers in the navy, was one of the most honourable passages in Mr. Burke's life. The Admiral was a political opponent of the Government, and had refused to serve against the Americans; but on the war breaking out with France, acceded to the strongly-urged personal request of George III., and agreed to take the command of the Channel fleet. He found, however, that the ministry had deceived him as to its condition, and it was a considerable time before he could get to sea. On the 27th of July 1778 he encountered the French fleet off Ushant, and after an indecisive engagement the enemy was enabled to withdraw—the admiral's signal to form line of battle being disregarded by Sir Hugh Palliser, who commanded a division of the fleet, and in this manner by his delay hindered the pursuit. Sir Hugh, being publicly attacked for his misconduct, endeavoured to shift the blame upon Admiral Keppel; and the Admiralty determined to hold a court-martial on the superior officer at the instigation of the subordinate, who was himself obviously the one in fault. It was more than insinuated that Lord Sandwich, who was at the head of the Admiralty, had plotted to bring Keppel into disgrace. This we may dismiss as preposterous; but there is no doubt that a political supporter would

have been treated differently. Burke threw himself with all the chivalry of his character into Keppel's defence. He defended him in the House with a force and a success which even the Attorney-General, Wedderburne, was compelled to admit; and the applause from all sides was hearty and sympathetic. The court-martial was held at Portsmouth, and Mr. Burke sat beside the admiral. The Marquis of Rockingham, the Duke of Richmond, and other leaders of the party, were there. Lord Shelburne had sent Dunning to assist; but the Hon. Thomas Erskine, who had just come into notice, and had been both in the navy and army before going to the bar, conducted the defence. Keppel read a speech, in the composition of which it is said that Burke assisted. Great was the enthusiasm when the gallant old admiral was acquitted, and loud the cheer that was commenced by the Duke of Cumberland when he received back his sword. In token of the gratitude he felt to Burke, and appreciation of his assistance on the trial, he presented him with his portrait by their mutual friend Sir Joshua Reynolds.

The affairs of Ireland now again occupied Parliament; Lord Newhaven proposed an inquiry into the means of affording her commercial relief; Irish commerce was in a desperate condition; the linen of the north lay rotting in the warehouses, and the country lay bare and exposed to the attack of England's enemies; but already more than ten thousand volunteers had taken up arms, and the movement was rapidly spreading. Lord North, however, treated the proposal lightly; enough had been done for Ireland; the trade of England was not to be jeopardised for her advantage. Burke, who, if he did not take the initiative, was always foremost in upholding the rights of his native country, and bitterly resented the manner in which she was treated as a mere colony or dependency of the British Crown (whether by conquest or not matters not, for England has treated all her dependencies as if they were conquests), warned Lord North that this narrow, illiberal policy which had lost the American States, would be attended with the same consequences in Ireland. A compromise was arranged, by which a definite proposal was to be brought forward, and it took the shape of a motion for a committee on the importation by Ireland of her own sugar; but though Lord North allowed the committee to be appointed, on the loud murmurs of the English and Scotch towns becoming audible, he interposed to defeat the measure, asserting that he should never sanction such a proposal. Burke, on the pretext of a motion for an inquiry into the fact of there being a body of troops in Ireland under arms without the knowledge of Government, made a fierce attack upon Lord North for playing fast and loose with that country, and charged him with being the author of anarchy and confusion. For a while Irish grievances dropped out of sight, but to return in a new and startling fashion before the year was out.

It was natural that an English Roman Catholic Relief Act should be supplemented by one for Scotland, and a bill similar to that of the last session was brought in by the Lord Advocate. This was the origin of the establishment of the Protestant Association, which was constituted by a number of sincere but illiberal fanatics, who inflamed the populace against their Roman Catholic brethren, and poured forth torrents of anti-Popery oratory in the shape of pamphlets, sermons, and speeches.

Their efforts at last set the whole country in a blaze, and resulted in a furious persecution. Lord George Gordon was their spokesman in parliament; and when the Roman Catholics in vain had published their wish that the Relief Bill should be withdrawn if that might appease their persecutors, and at last petitioned parliament for protection and compensation for their losses and sufferings, he demanded, in a speech that resembled the speech of a madman, that it should not be allowed to disgrace the table of the House. This petition Burke had presented, in an able speech, which was very severe, and inflicted much mortification on those gentlemen in Scotland who had lately taken part in inflaming the passions of the ignorant; some of them were his warm admirers, and endeavoured to justify themselves by letter. We cannot forbear to quote a few words of his reply, which all clergymen and public speakers and writers would do well to imprint upon their memories:—"Gentlemen of your activity in public affairs, in which you have taken a voluntary part, ought rather to employ your abilities in enlightening than in inflaming the people. We have had disunion enough already, and I heartily wish that your part of the kingdom had manifested one-half of the zeal for the union of our Protestant empire, on terms of equity and freedom, that has been manifested for taking away all justice and all liberty from our Roman Catholic subjects at home. If there had, we should not have been set down in our present miserable condition."

Mr. Burke, in the House of Commons, put himself forward as the champion of toleration against the mad championship of persecution by Lord George Gordon. The Roman Catholics of Scotland were, most of them, like Burke himself, Irishmen in a strange country. The blood in his veins boiled at the treatment to which they were subjected; and Walpole observed that the two champions were equally frantic. A few months more, and parliament was to have the baleful work of the Protestant Association brought to its very doors. Its president, Lord George Gordon, gave notice that on the 2d of June, accompanied by the London, Westminster, and Southwark branches of the Protestant Association, he would present a petition to the House. On the day appointed an immense sea of London roughs, roaring out their ordinary profanity, intent on plunder and riot, officered by religious fanatics, filled Palace Yard and all the approaches to parliament. Bishops were hustled; peers torn from their carriages; statesmen mobbed. Mr. Burke was especially denounced by Lord George Gordon. For several days there was a perfect reign of terror in London. At night the sky was red with the reflection of fires; the prisons were broken open; the houses of all who were suspected of Catholic sympathies were pillaged. Mr. Burke's house in Charles Street was only saved by the military garrison. He and Mrs. Burke, who behaved most heroically, took refuge with General Burgoyne. Burke's friends entreated him to leave London; but instead of doing so, on the day appointed for reconsidering the petition, he went to the House of Commons on foot, making himself known to the mob as he passed along, fearlessly declaring his determination to oppose their demands. His courage disarmed their violence, and he passed unscathed into the House, and poured forth the vials of his indignation upon the ministry who



allowed such a revolution to continue unchecked. It is hard to say what would have been the end of the Gordon riots but for the firmness of George the Third in signing a warrant to the troops to act promptly and decisively against the so-called Protestants. When the peace was at length restored, Burke proposed resolutions asserting the principle of religious freedom, which (somewhat diluted by Lord North) were accepted by the House. In his great speech on this occasion, he referred to his own education, and the lessons of tolerance he had learned from his schoolmaster, who, though a dissenter of the dissenters, had brought him up in good church principles. This appeal to his own early experience was soon to have a more direct application. By way of a sop to the Protestants, a measure was passed by the Commons in spite of Burke's best reasons and eloquence forbidding Roman Catholic schoolmasters to receive Protestant pupils, or Roman Catholic tradesmen Protestant apprentices. This bill would have ruined many hard-working teachers, besides, in the very spirit of modern ultramontaniam, tending to perpetuate the religious divisions which all good men wish in social life to obliterate. Burke's opposition did not end in the Lower House; he used all his influence with the peers, and happily the measure was allowed to lapse at the end of the session. It little mattered to him that the baffled leaders of the Association revived the old absurdities as to his being a Jesuit "in disguise," and a pupil of St. Omer's; his reputation was now too firmly established to be affected by such foul breaths, which must offend, but could not injure. The annoyance, such as it was, was amply compensated for by knowing that indirectly he was fighting the battle of Roman Catholic Ireland, and of the Roman Catholic friends of his boyhood, in these successful encounters with English bigotry. Many of the disciples of the Protestant Association expiated on the gallows the acts of pillage and incendiarism into which Protestant zeal had betrayed them; but the prisoners found an unexpected champion in Burke himself. His view was that ordinary offences, committed in a time of chaos, might be treated with leniency; but that examples should be made of the religious fanatics. The publication of "Reflections on the Approaching Executions," along with private efforts and intercessions, probably saved the lives of many of the rioters.

A general election was now pending. Burke's position at Bristol was jeopardised both by his independent political course in respect to Irish trade, Roman Catholic relief, and Lord Beauchamp's Debtors' Bill, and by his having, when once he was wedded to the constituency, ceased his wooing of it. He was himself unconscious that his seat was in danger, but on hearing that a contest was impending, intimated that he could only undertake it on the same terms as formerly—viz., being brought in free. On the 6th of November there was a meeting in the Guildhall, and Mr. Burke delivered a speech—as a hustings speech unequalled. His vindication was respectfully received, and resolutions passed requesting him to allow himself to be put in nomination again; but on commencing his canvass, he found that he had no chance of being elected, and retired from the contest. When declaring his withdrawal, he spoke with quiet bitterness. One of the Tory candidates had dropped dead the day before. In reference to this, he said that his

being thus withdrawn from the contest while his desires were as warm and his hopes as eager as any of theirs, illustrated "what shadows we are, and what shadows we pursue!" The party, of course, immediately looked out another saddle for their champion, thus unhorsed in the battle of the elections. If Bristol was no longer to bear him into the fight, he was glad to accept a less splendid but more tractable steed in the borough of Malton. He was not, however, able to get himself elected and take his seat before Christmas; and perhaps this short but important interval, in which his friend Fox was in undivided command of the Opposition, may be regarded as the part of the race in which he was outstripped by his pupil. The temporary supercession became permanent; and the consequence was that he who must have occupied a high position in the Cabinet, if his party had come into power a short time before, and had actually been on the point of obtaining such a position in Lord Rockingham's first Administration, was not in the Cabinet at all when the Marquis came in again. No doubt the exchange of Bristol for Malton in itself helped to detract from his influence. After Christmas Burke joined heartily with Fox in his attacks on the ministry in general, and Lord Sandwich in particular. He again brought forward his plan of economical reform, and was valiantly supported by the young William Pitt and several other new lights. He himself wound up the debate with a magnificent oration which convinced every one, and left him in a minority of only forty-three.

An interesting and characteristic circumstance belongs to this period. A young Devonshire man, fired by love and ambition, came up to London in the hope of raising himself by his talents. He tried the publishers, and he tried the patrons of literature (Lord Shelburne among the number of the latter) in vain. Every door was shut; the youth was at the point of despair, when he thought of applying to Mr. Burke. Great was his joy when he heard that the great man would see him; and the result was beyond his hopes. Mr. Burke himself had gone through this kind of struggle himself, and never was lifted so far out of it as not to sympathise with those who reminded him of his former self. As he assisted Emin, as he helped the painter Barry, only more effectually he now undertook to assist Crabbe. Nothing could exceed his kindness; he had him constantly at his house; introduced him to publishers; advised and almost educated him; brought him down in vacation time to Beaconsfield, and at last got him ordained and settled in the Church. This was one of the many evidences of the springs of kindness and tenderness of feeling concealed under his stern, and sometimes harsh manner.

We cannot enter here on Mr. Burke's part in the Indian debates of 1781. It was in this year that his cousin William Burke returned on a mission from the King of Tanjore, and his animosity to Warren Hastings received a considerable increase. In common with the Opposition in general, he was excluded from Dundas's Secret Committee. Nor can we dwell on the tremendous attack upon Rodney for the plunder of St. Eustatius; it finally resulted in the Admiral's recall in the very hour of his great victory over De Grasse—a victory which melted even such an implacable as Burke himself, who said that if there was a bald spot on the admiral's head he would willingly cover

it with laurels. But we must hasten on. It was on the 25th of November the news reached the ministry of the surrender of Cornwallis and his army at Yorktown. The end had been long coming; but when the news reached Lord North on the Sunday morning before Parliament met, he exclaimed, "My God, it's all over!" and exhibited an agitation which he had never shown before. It was clear that his position was untenable in the approaching session; the king's favour could no longer save him; he was going out to his last fight. Resign, however, he would not, but determined to meet his enemies. Parliament met, and an amendment was moved on the Address. Fox spoke of the scaffold; Lord North defended himself with dignity, and said that even on the scaffold he could declare that the war had been just. Burke poured forth a torrent of eloquent reply; the passage in which he took up North's declaration of the justice of the war has been often quoted, and could scarcely be surpassed for its breathless vigour of expression. Discipline, however, still prevailed; the Government had a majority of ninety; but they could not agree among themselves whether to make peace or prosecute the war. Possibly but for this they might have weathered the storm; Lord George Germaine, the American Secretary, was in favour of fighting, and against him the Opposition concentrated their attack, as they had previously done on Sandwich. A motion that the war should be discontinued was defeated only by forty-one votes. Lord George, deserted by Lord North, and assailed by Dundas and Rigby, still held his position, and was able, so far as that went, to maintain himself against the Opposition, but was compelled, in consequence of the disagreement with his colleagues, to send in his resignation. The plan of the Opposition was to attack the ministers in detail; a new onslaught was prepared on Lord Sandwich; and Fox, who was to have led it, falling ill, it devolved upon Burke to press on the inquiry which had been granted. A vote of censure on the naval administration was only defeated by twenty-one. These lessening majorities were measuring the rapid fall of the ministry. A new assault, ably supported by Pitt, was made at the end of the month, and the majority was down to nineteen. Meanwhile Welbore Ellis, an ancient sinecurist, had taken the place of Lord George Germaine—a place for which the strongest man would have been insufficient. The new American Secretary was called up for the first time in that capacity to oppose a motion of General Conway for the discontinuance of the war. His flat and boastful speech was badly received by the House, and drew down a terrible punishment from Burke. He mocked at what Ellis had called his "confession of faith," called him Lord George Germaine in effigy, and compared the little minister, who had long been laid by in the lucrative sinecure of the treasurership of the navy, to a caterpillar that, having long reposed in the chrysalis state within the silken folds of his office, had at last burst its ligaments, expanded its wings, and fluttered forth the secretary of the hour; but the creature was a caterpillar still, though changed in appearance. The ridicule which he piled on Ellis's respectable antiquity overwhelmed the unfortunate minister, and did much damage to the ministry he represented. Fox and Pitt followed on the same side; in vain Lord North, all veteran as he was, threw himself into the breach against

such mighty stormers. The ministry came out of the division with a majority of ONE. But the ministry did not resign; it was necessary, therefore, to repeat the resolution, and this was done by Conway on the 27th of February. Burke did not speak in this debate, being kept in reserve for Ellis, who was afraid to speak. At half-past one in the morning the division was taken in a scene of immense excitement, and the Government was beaten by a majority of nineteen. Such a majority against the Government could scarcely be believed in after so many years; if the former divisions did not carry conviction there was no mistaking; and great was the exultation in the country at the prospect which it afforded of deliverance. But Lord North carried to perfection the characteristic of English valour of not knowing when he was beaten. Still he did not resign. The Address was presented to the king, and elicited but a vague reply. The House then declared that all who should advise the king to continue the war would be enemies of the country. It appeared, however, as if Lord North was waiting to be taken out by the collar; in gratitude, he said, to the king and people of England he would continue in office. Meanwhile the difficulty of finding ways and means delayed the production of the budget. On a fresh delay arising, Burke started up and volunteered a financial statement, in which he placed in array the immense losses of the country under Lord North's auspices. A direct vote of censure was at length determined upon; Burke had another opportunity of demolishing Welbore Ellis, a feat in which he took particular delight. Ministers not daring to meet the vote, boldly moved the order of the day. In this evasion they were supported by men who could not have upheld them directly, and had a majority of ten votes. Easter was approaching; after there could be no serious fighting; it was necessary, therefore, to continue the assault with vigour. On both sides strenuous exertions were made to secure a majority. In the next division on a vote of want of confidence, the ministry had but a margin of nine to hold on by. Lord North became alarmed; an impeachment would be the next step, and his enemies were daily becoming bolder and more undeniable, while his support lost heart. The king communicated with the Marquis of Rockingham, through Lord Chancellor Thurlow, as to the basis on which he would form a ministry. The marquis would make no concession of his principles, and the negotiation fell through. The king threatened to withdraw to Hanover; this contingency did not tend to re-assure his unpopular minister, and he pressed his majesty to accept his resignation. Not, however, until the very day that the vote of want of confidence was to be proposed again, was Lord North's resignation received. Lord North anticipated the debate by announcing that the ministry was "no more." The leading Oppositionists pronounced *eloges* decidedly uncomplimentary. Burke spoke among others. He was grave and stern; he warned his party against selfish ambitions, against the intoxication of victory in which its advantages are often lost; and in answer to an imputation of self-interest, declared that his social position did not entitle him to the expectation of being a minister. Was this wise? He scarcely thought, perhaps, in assuming this proudly humble tone, how shamefully he would be taken at his word.

George the Third, finding that the Marquis of Rockingham was still



intractable, sent for Lord Shelburne. He was a patriot of a very different type—one of those who look upon principles as subservient to the interests of party. This was the extreme opposite of Mr Burke, who transferred to Lord Shelburne a double portion of the animosity with which he had regarded Chatham. Burke was what men of less exalted integrity and less disinterested patriotism term impracticable; and for this reason, as the member of a party, he “stood alone;” he was among them, but not of them. In the current of mingling characters and motives, he was a drop borne in a stream with which it could not mingle. The good loved him, the wise revered, but the good and wise are not the party. He was formidable and useful, and therefore he was honoured and supported. He was the sail and helm, the master and pilot; what he advocated from principle suited his party from interest; but his abstractions, distinctions, references to aims remote and lofty, were trifling, wearisome, and overpowering to those to whom his measures were but stalking-horses, and maxims hoods and masks. So it was that, on the accession of the party to power, the supremacy of their leader was at an end. The guide and pioneer; under whose wisdom they had advanced, was felt to be *de trop* when the coveted position was gained; when their actual views—not the lofty ones they had professed—were about they hoped to be realised, he was no longer in any degree fitted for their purpose; from an effective engine of progress, he became an embarrassment and restraint. To place in the cabinet a leader so prompt, zealous, and masterful, would be to give him the real guidance of their policy. He was too peremptory, earnest, and intractable for any lesser part. So it was that when Lord Melbourne, who was in every respect his antithesis, coalesced, as his numerical weakness obliged him to do with the Marquis of Rockingham, and the Cabinet was formed in equal proportions of the followers of each, Burke was excluded from it, being relegated to the office of paymaster-general. If he had possessed aristocratic connexion, this exclusion of the genius of the party would have been impossible. It is a proof of which our faith is often sorely in need, that the age or flunkeyism is going by, that, under no circumstances, would it be possible now. Burke succeeded the unprincipled Rigby in the lucrative but minor office of paymaster. This, with a seat on the Privy Council, and the appointment of his son as deputy-paymaster, with a salary of £500, and his brother senior secretary to the Treasury, formed his share in the distribution of office. He assented to the arrangement with his wonted humility, a humility which formed one of the most beautiful characteristics of his mind, but rendered him liable to be set aside with facility in personal matters, whilst firm as a rock in all that concerned the public interests. It was perhaps thought that a poor man like Burke would gladly sacrifice the honours of a higher post for the enormous emoluments of the paymastership. But one of his first acts was to show that this was not the reason of his acquiescence. The economy which he had hitherto only preached he immediately began to put in practice to his own hindrance. The established emoluments of the office included the interest of a large portion of the public money lying in bank in the paymaster's name. This perquisite amounted to something near £25,000 a-year. It had always belonged to Burke's prede-

cessors in the office; it was his prescriptive right; none more in need of it than he; but he relinquished the whole, and contented himself with the salary of paymaster, which amounted to but £4000 a-year. This one act is sufficient answer to all the charges of low and mercenary motives which have been made against Burke. It is a guarantee for his integrity in other transactions on which our light is less clear. His virtue was indeed of the old Roman type, such as England loves not: it had no flaw in it. It made him particularly disagreeable to the Shelburne section of the Cabinet.

Shelburne occupied to Rockingham's party the relation that had been borne to it by Chatham, without Chatham's influence or popularity. His following was small; and it was of necessity that he embraced the Rockingham alliance. He was utterly opposed to recognising the independence of the United States, the principal point for which the Rockinghamites had battled before coming into office; and he was not in favour of Mr. Burke's plan of economical reform. Naturally he possessed the ear of George the Third, who feared and disliked Rockingham. There had been, immediately on the formation of the new Ministry, a manifestation that the King was disposed to treat Shelburne as the real chief. Without consulting the marquis, Mr. Dunning was raised to the peerage as Lord Ashburton.

Mr. Burke advised his patron to insist, as a balance, on Sir Fletcher Norton being created Baron Grantley. Much jealousy continued to exist between the followers of Rockingham and Shelburne, and Mr. Burke transferred to the latter all the dislike he had entertained for Chatham. Thus the Ministry came into being with the seeds of decline in its constitution. Ireland was to be its first difficulty; it was "the day of the volunteers," that one bright spot in Irish history. Lord Carlisle was Lord-Lieutenant, Mr. Eden chief Secretary. On the 16th of April 1782 Grattan was to renew the debate on the Rights of Ireland. The fall of Lord North's Government, of course, led the authorities at Dublin Castle to expect their own removal; and Mr. Eden, hearing a rumour that the Duke of Portland and Mr. Fitzpatrick were to succeed, came over in the hope of being able to embarrass the new Ministry. He refused to give them any information on the state of Irish affairs, but, like the unjust steward in the parable, feeling that his tenure of office being over, the moment for concession had arrived, proposed the repeal of the statute of George I., which was particularly obnoxious to the Irish patriots. Fox exposed his conduct, and defeated his manœuvre in a powerful speech, in which, however, he promised that immediate attention should be given to the Irish demands. Not such an advocate as Mr. Eden was now needed. The Duke of Portland, who went over as Lord-Lieutenant, was obliged to bow to the overpowering reason, eloquence, and physical force combined of Grattan and the volunteer army. Burke used all his influence with Fox and Lord Rockingham, and his influence prevailed. He had the delight of being a member of the Government which proposed the repeal of the offensive statute, and said, in his speech on the motion for its repeal on the 17th of May,—“It is not on this day, when there is no difference of opinion, that I will rise to fight the battle of Ireland. Her cause is nearest my heart. Nothing gave me so much satisfaction when I was first

honoured with a seat in this house, as the hope that I might, in some way or other, be of service to the country that gave me birth. I have always thought myself that, if such an insignificant member as I am would ever be so fortunate as to render an essential service to England, and my Sovereign and Parliament were going to reward me, I should say to them, 'Do something for Ireland, do something for my country, and I shall be over-rewarded.'" Burke's eminent part in bringing about the bloodless concession of their demands was not sufficiently recognised by his countrymen. Ireland being pacified, he was soon grappling new subjects; carrying on the investigation into the conduct of Sir Elijah Impey which moved parallel to the investigations of the Committee on Warren Hastings; and bringing to the front his great scheme of economical reform. With respect to the latter, Burke strongly opposed its being carried out in an underhand way; and, finally, it was agreed that the king himself should recommend it to the attention of Parliament. With the modification inseparable from compromises, the scheme originated by Burke was, to his great joy, successfully carried through Parliament, and effected a saving to the nation of £72,000 a-year. He also succeeded in carrying through the Civil Lists Bill, and one for regulating his own office. This was the brief moment of complete success in his political life; but an event happened in the middle of the year which hopelessly clouded his prospects—it was the death of his noble patron, Lord Rockingham. Many pecuniary transactions, nominally in the nature of loans, but really the well-earned wages of a trusty political henchman, had passed between the marquis and his former secretary. One of the last acts of the Marquis of Rockingham was to add a codicil to his will cancelling any debt of which memoranda might be found among his papers. Mr. Burke had followed his patron through the long shadow of opposition, which to the latter was only ease from the cares of office, but to the commoner meant poverty—abnegation of the rich spoils both in honour and emolument of public life. The marquis had felt bound, therefore, to assist in placing Mr. Burke at ease in regard to money matters, and had made him, in 1767, a loan of £10,000, and various lesser advances on subsequent occasions. Burke, it has been said, expected, and would probably have received, a legacy from the Marquis of Rockingham, had he not appeared at that time beyond the need of it, in secure possession of a lucrative office. But already Fox and Shelburne had been opposed to each other in the Cabinet, and, on the death of Rockingham, a rupture became inevitable. Shelburne was appointed Prime Minister, and Fox withdrew from the Ministry, followed by Burke and Lord John Cavendish. Burke had advised his friends to hold on until Parliament met, when the nation, not the king, would arbitrate between the discordant sections of the Ministry. But Fox could not endure the humiliation of being in the meanwhile eclipsed in the Cabinet, and Burke withdrew with his friends. His tenure of office had lasted only three months, and it was not unnatural that, in leaving it, he was anxious to make some provision for his son Richard. On the strength of memoranda found in the journals of Horace Walpole, Burke is said to have endeavoured to make an arrangement by which his son should receive, instead of the office of deputy-paymaster, which he was, of course, obliged to

resign, the sinecure appointment of the clerkship of the Pells, worth £1000 a-year.\* But even if the proposal had not been, as we feel sure it has been, maliciously misrepresented, we cannot see that it leaves any stain on the official purity of Mr. Burke. The office had been spared by his economical Reform Bill, in conformity with the terms of the compromise agreed upon; and if he made an effort to obtain it for his son from the section of his party that remained in power, it was a perfectly justifiable and legitimate transaction. He was himself obliged to resign by private political relations; but there was no reason why his son should cease to serve the king under a Whig Government.

Circumstances, however, were leading to new combinations, and Burke was soon to return to the pay-office. Gibraltar had been saved; the Bourbons were not hopeful of a victorious termination of the war; peace was about to be concluded; the 17th of February 1783, was the day fixed for consideration of the preliminaries. Shelburne felt insecure, and would have been glad to gain over North and his followers; but Pitt would not sit with them. The other ministers despised the once powerful leader of the Tories, and required his unconditional surrender, and would then have allowed him to hold on to the skirts of the Cabinet, of which he was not to be a member. It was not unnatural that he should throw himself into the arms of Fox's Opposition. Pitt, sent from the king, endeavoured in vain to re-enlist Fox. The opposition Tories and opposition Whigs coalesced, and drove out their common enemy.

In the address on the peace, Shelburne was defeated by a majority of sixteen. The preliminary treaties were censured on the 21st, the defeat was again complete. For five weeks, while the king could not make up his mind, the interregnum continued. On the 2d of April the Coalition entered office; Portland, Prime Minister; Fox and North Secretaries of State. Burke returned to the pay-office, into which there was less excuse than before for thrusting him, as he had himself despoiled it of its emoluments. A seat in the Cabinet was not offered him, and he was the last man to claim it—as he said years after, "It is my friends who must discover the rank I hold in Parliament. I never shall explain." He was above the littleness of refusing what was offered because the offer was not great enough. However, he possessed considerable influence with the Duke of Portland—was even said to be Prime Minister through this peer, who had been wittily described by Horace Walpole as having lived shut up in ducal dudgeon behind the walls of Burlington House, with half a dozen toad-eaters, and to have plunged his immense property in encumbrances without an apparent expenditure of £2000 a-year. Burke, however, considered him honest and sincere, and perhaps would have been willing to stand in the same relationship to him as he had borne to Rockingham, who had the same recommendations, and an almost equal need for the brains of the great Irishman.

But the coalition placed him in a false position, and he felt it keenly. In a debate on Pitt's motion for parliamentary reform, when he rose to

\* See "Moore's Diary," vol. iv. p. 218, and "Memorials and Correspondence of Fox," vol. i. p. 450.



speaking there was such a noise of members going out, that he sat down indignantly. Had his conscience been at ease, he was the last man to be silenced. He had laid himself open to his numerous enemies, who unhesitatingly plunged in their venomous swords; and a, perhaps unadvised, act of mercy to two clerks in his office, Bembridge and Powell, who had been removed by Barré for peculation, but restored by Burke until the charge should be proved, put him still more in their power. The House of Commons was indignant; the most painful construction was put upon his conduct, and the attack upon him was renewed again and again. He was obliged at length to acquiesce in their dismissal. Powell, reduced to despair, cut his throat a few days after. Bembridge was convicted of the peculation of which he had been accused; but the law having been called in to decide, Burke had thought it just to defer the heaviest part of their punishment until their guilt had been established. Between him and Pitt there arose a bitter opposition. Pitt lost no opportunity of assailing him. He accused him of privately altering clauses in the bill, amending his own Pay Office Act. There was a fierce tussle, but it was proved that the clauses had been put in so low a tone as not to be heard.

Mr. Burke was now entering upon the most remarkable portion of his public career; the impeachment of the Indian Viceroy was drawing near. His discharge of the office of prosecutor in so great a suit seems to us, who look back upon it all, a gloomy, but not unworthy climax, to all his public life that had gone before. We should have a happier recollection of Burke if he had not linked his memory with the prosecution of Warren Hastings, but some grandeur would be lost. The ninth and tenth Reports of the Committee on the Administration of Justice in India were from his pen. In these reports part of the charges were developed which afterwards formed the impeachment. What was his first object, however, was the reformation of India, and it was by him that Fox's India Bill was drawn up. Pitt demanded a Radical Bill; this was radical beyond what he had expected. It in fact abolished all the charters of the Company, giving the political administration up to a Board of eight commissioners, who were to hold their offices for four years, the Crown nominating successors, and the proprietors nominating an inferior Board of the same number to look after their commercial interests. There was a supplementary Bill abolishing abuses and righting wrongs. The measure was violently opposed, but was carried without a division on the first reading. The second was carried by a hundred and nine. It was on the motion for going into committee that Burke made his great speech. Wraxall, who had just deserted to the other side, said it was the greatest he had ever heard in parliament. The Bill passed through its other stages with large majorities, but the arguments of Pitt and Jenkinson, that it would make ministers independent of the king, alarmed George the Third. All possible influence was brought to bear on the House of Lords, and on the 17th of December the India Bill was thrown out, and the day after the Coalition Ministry was dismissed, and Pitt came into power. Thus ended Burke's official life, which consisted of two periods of three months and eight months in the Pay Office.

The new ministry for a while sat in spite of parliament; but the

Coalition lost coherence in opposition. Pitt's popularity grew in the country and in the House; the strength of his opponents diminished. Burke was disheartened, and spoke seldom. When the general election came on, he himself was re-elected, but his party was completely beaten. At this time, however, a gleam of sunshine amid the gloom of the political situation was his installation as Lord Rector of Glasgow University. When he rose to return thanks, the great orator faltered, and said that he had never before addressed so learned an assembly; however, notwithstanding the hesitation so complimentary to the Scotch university, he managed to make an excellent speech. Shortly after the meeting of parliament, Burke drew up, and when it was negatived by the House, published his "Vindication of the late House of Commons." He was not supported by Fox, and a coldness which had already begun received a decided increase. Burke's separation from his party may be said to have commenced from this time. In the late parliament he had been prescriptively respected and admired; his intellectual supremacy was a tradition of the House; but the new members treated him with open and noisy disrespect. His "Representation to the King," more lengthy than anything that had ever been put upon the journals of the House before, was greeted with a rude burst of laughter; the young and chivalrous Windham alone, who had just entered parliament, and was destined, in years to come of disparagement and failure, to be his one faithful disciple and friend, could be found to second its adoption; it was negatived contemptuously without a division. On every occasion that Burke addressed the House he was made to feel that his position was altered; his vehemence was ridiculed, and he was sincerely believed to be mad by many of the unfledged politicians of the House. Pitt's India Bill, which gave increased power to the Board of Control, he considered thoroughly truckling and bad; and the violence of his opposition upon a matter which only concerned the myriads of India, and had nothing to do with the little domestic politics of England, was regarded by the Philistine vestrymen of the British Parliament as undeniable proof of mania. They could not enter into his feelings, or rise to his idea; it was the old story of Paul and Festus. Such an audience, combined with intense and solemn earnestness and perpetual disappointment, increased the natural infirmity of his temper. He was "always a fighter," as Mr. Browning described himself; but with genius to be a great victor over wrong and political evil, he was always vanquished by fate; and if the cause triumphed his enemies were crowned, and snatched the fruits of victory. The prosecution of Warren Hastings, in which he spent these last years of his political life, was now soon about to commence. Burke denounced him to the new House in terms which excited loud laughter; having compared the late ruler of India to a highwayman, he thus apostrophised Newgate, "Forgive me, O Newgate, if I have thus dishonoured thy inhabitants by an odious comparison; thy highwayman who may have robbed one person on the highway is not to be compared with him who has plundered millions, and made them feel all the calamities of famine; thy murderer who may have deprived one individual of life would be disgraced by any comparison with him who has exterminated the inhabitants of a whole kingdom; thy housebreaker is a harmless character when compared

with him who has destroyed the habitations of millions, and left whole provinces without inhabitants.' We quote this as a specimen of the exaggeration into which Burke was sometimes led by ineffectual rage, when subjects upon which he himself felt most deeply were treated with brainless and heartless levity. It appeared unlikely at this time that the Opposition would go beyond denunciation. The return of Sir Elijah Impey was announced by Pitt with something like a challenge: but it was not accepted, owing to the certainty of a miscarriage of justice: and Hastings would probably have enjoyed similar immunity but for an injudicious advocate, in the person of his agent Major Scott, who stung Burke into attempting what it had been decided was hopeless. Another enemy of Hastings, whom he had defeated and driven from India, now appeared in the House of Commons; and his great personal knowledge rendered him an invaluable ally to Burke. This was Sir Philip Francis, the redoubtable Junius himself. But neither the personal hatred of Francis or the diviner anger of Burke seemed likely to bring the Indian Government to justice. Hastings was received at Court with every mark of favour. With the countenance of the king and queen, with the majority on his side in parliament, the Prime Minister benevolently neutral, the Whig party quiescent, and the nation favourable, nothing could possibly seem more secure than his position. He fancied that he could crush his vindictive enemies in England with as much ease as he had trampled upon his foes in the far off Government of Hindostan; but he little knew that in coming to England in June he had put himself within the reach of a giant. The demand for papers regarding Oude was flatly refused by Pitt; and it was on this occasion that Burke, irritated by the crackling laughter of Englishmen, who thought that the world was bounded by the shores of England, laying his hand on the Indian Reports, vowed to avenge India. And yet at the end of the session of 1784 there appeared no prospect of obtaining a trial. Burke returned to Beaconsfield much downcast, but the pleasures of his country home soon restored his spirits. It may be well to remind the reader, as a preparation for the impeachment of Hastings, and the relentless but just hatred with which Burke pursued the great criminal, that in private life he was all gentleness and charity; that for miles around he was looked up to by the peasantry as a friend and benefactor; that to the utmost of his means he relieved their wants, prescribing for their ailments, and dispensing simple remedies. With the poor he was their country doctor; with children he was a child; with his friends the most amiable and pleasing of men. But in public life he was no longer a man—he was the Avenging Angel. At the meeting of parliament in January 1785, an amendment on the Address with regard to the affairs of India was defeated by an overwhelming majority. But this majority was reduced to sixty-nine on Fox's motion with regard to the Nabob of Arcot's debts, on which Burke made a speech wonderful in grasp of facts and eloquence, but marred by the delivery. The Nabob of Arcot had been the tool of the English adventurers, who preyed upon the living body of India; he had incurred enormous debts to them for small loans, the payment being guaranteed by Government, and made out of the revenue of the Carnatic; and had been authorised as a return to exact from the

King of Tanjore immense sums which he did not owe! Atkinson and Benfield were two of the principal Nabobs enriched by these transactions. We cannot enter at length into any of the charges against Hastings, but must endeavour briefly to trace Mr. Burke's connection with that greatest of State trials. First, however, we may say that, while engaged in this gigantic task, he was just as active as ever in other political matters. In April he contributed to the defeat of Pitt's third and last attempt at parliamentary reform—feeling, as he ever did with regard to this subject, that with infidel democracy rising on every side, it was not the time to expose the English Constitution to change. He was equally opposed to the minister's policy for Ireland. Pitt's proposals were based on the principles of reciprocity, and what showed that they were not thoroughly unfair was, that they gave great offence to the English manufacturers. Indeed, as they were introduced in the Irish parliament, they would have been highly beneficial; but they were, unfortunately, modified by the English Cabinet to preserve the commercial supremacy. Burke warned the Tories against repeating the error made with reference to America, and endeavouring to make Ireland a source of revenue for the relief of the English tax-payer. To this Pitt replied that no such analogy existed, and alluding to Burke's Irish origin, hoped that his words would produce no evil effects in Ireland among his excitable countrymen.

It was decided in April that Hastings should be heard at the bar of the House. His defence occupied three days. It was rather arrogant in its tone, and wore out the patience of the House by its length. However, the majority was prepared, whatever it might be, to deem it satisfactory; and when Burke, in pursuance of his plan of taking the opinion of the House on each charge separate, brought forward the extirpation of the Rohillas, which had already been condemned, on the motion of a member of the ministry he was defeated, after a long debate, by two to one. Lapse of time and ministerial condonation were pleaded, but still it was too evident that justice was not to be obtained. Burke was almost inclined to give over the attempt, but to save appearances, resolved to bring forward two or three more charges. It was rumoured that Hastings was about to be raised to the peerage; the efforts of his enemies seemed on the point of falling to the ground; the old complaint seemed to be verified again of the wicked being in great prosperity. On June 13 Fox brought forward the second charge, relating to the enormous fine levied on Cheyt Singh, rajah of Benares. Pitt admitted that the fine was too heavy, though, after the revolution at Benares, he thought the rajah's deposition was justifiable; but to the unutterable consternation of his own side of the house, and the amazement of the Opposition, he declared that he would vote that there was ground for grave accusation. The ministerialists did not know how to vote; Scott's senses almost forsook him; and the motion was carried by a majority of forty. It is impossible to explain the cause of this sudden resolution of the minister. Some said that he was jealous of the increasing favour which was shown Hastings at Court, and that he was determined to prevent his being placed upon the India Board; but we are inclined to think that he was one whose conscience sometimes compelled him to act contrary to his inclinations, contrary even



to the interests of his party, and that this was an instance. The rest of the charges were postponed to next meeting of Parliament, and Burke employed the recess in mastering the subject, and working through the papers which he had with such difficulty procured from Leadenhall Street. On the resumption of the charges, the next, relating to the Begums of Oude, was brought forward by a new ally, Richard Brinsley Sheridan. His speech carried all opposition before it; and the other charges were brought forward with equal success. Hastings' friends argued that his great services should be regarded as a set off to his errors; but he himself rejected this plea, and declared that he would be tried on the merits. Burke, through all these debates, was the prompter of his party. His temper was often sorely tried, and was scarcely equal to the severe strain that was put upon it—the insolence of Major Scott being almost beyond sufferance. His abuse, however, was deprived of its value by a ludicrous exposure in the *Morning Herald*, the editor of which published an account of Scott's payments for inserting abusive articles:—

Item— For attacking Mr. Burke's veracity,	.	.	5s. 6d.
Accusing Mr. Burke of inconsistency,	.	.	9s. 0d.
Attempting to ridicule Mr. Burke,	.	.	5s. 6d.
etc.			

A committee was formed to prepare the articles of impeachment, and on the 10th of May the impeachment was formally moved and carried without a division. Accompanied by a majority of the House, Burke proceeded to the bar of the House of Lords, and impeached Warren Hastings. The lumbering car of High Justice was now fairly set in motion, and it was decided that next year the trial should commence. In the interval, Burke, who had not been there for twenty years, paid his last visit to Ireland; spent a few days with Lord Charlemont at Marino; brought his son Richard down to Ballitore still flourishing in the third generation; and then went on to the other scenes of his childhood, the Blackwater flowing as of old, and the still green meadows of Coolbawn.

At length the great trial, for which Burke had been making Herculean preparations for the last five years, was taken up on the 13th of February 1788. Two days were spent in reading the articles of impeachment and the answers of Mr. Hastings. On the third Burke opened the case to a crowded House. For four days he continued a statement of unparalleled power and effect; whether from the force of representation and reason, the command of the subject, the novel aspect in which he presented questions so trite and beaten, or the profound interest of the facts themselves, never perhaps was such an audience so bound by the commanding mastery of an orator. Some, indeed, of the statements he made on the 18th of February were of a nature to convulse the feelings of the House with horror. Mr. Burke was compelled by his own emotion to pause and drop his head upon his hands, and remain for some moments unable to articulate; nor did he proceed for many minutes after, before he was so indisposed that it was necessary to adjourn till the next day. Probably, considering the occasion, the scene in Westminster Hall, and the gigantic nature of the trial, there never was, historically, a greater speech—scarcely ever a

more effective. For four days the immense audience listened with deepening interest and excitement to

"That great voice which, rising, brought  
Red wrath to faces pale with thought,  
And falling, fell with showers of tears."

It was on the third day of his speech that Mrs. Siddons and some other ladies fainted at the horrible narrations of the orator. On the 19th he closed his statement with a solemn and impressive description of the cause, the accusers, and the court, and ended by charging Mr. Hastings with abuse of public trust—with dishonouring the character of England—subverting the laws, rights, and liberties of India—of destroying the properties of the inhabitants, desolating their country, and of enormous cruelties and tyrannies inflicted on persons of every rank and sex. On the 21st of April the business of the trial was resumed, and Mr. Burke brought on his first separate charge, which was that of bribery. Thus the long and weary struggle was fairly commenced, which was destined to be protracted over six years. We cannot enter upon the reflections which this trial would naturally suggest; we would only say that Mr. Burke must be entirely acquitted of having been actuated by private malice—a sentiment of which he was incapable. The impeachment proceeded from the House of Commons—the responsibility of the undertaking rested upon it. There was certainly ample *prima facie* ground for inquiry; and had it been conducted as a State trial ought to have been, and not by the rules and precedents of inferior courts, there can be little doubt that a different verdict would have been arrived at by the House of Lords.

During the course of this long trial, of which Burke, Fox, and Sheridan were the principal managers, there was much to try the temper of Burke, who was constantly pitted against Law upon legal technicalities, in which he was scarcely a match for the clever and well-informed barrister. His relations with the other managers also underwent a painful change. Charles James Fox was his political pupil; he had known and loved him from boyhood, and his affection had been warmly returned. Sheridan he had helped to bring forward in the political world, but the time was coming when the friends were to meet in the manager's box as bitter foes, only speaking to one another in cold and formal tones when the business of the trial demanded it. The origin of this breach was the strong part Burke took against the French Revolution. Fox and the rest of the Whig party looked upon the Revolution as the great dawn of liberty; they bitterly resented, therefore, those speeches and writings of Burke in which he attacked it with his accustomed vehemence, of course tending to discredit them as its supporters, and to injure their chances of office.

"Reflections on the French Revolution" was perhaps the most brilliant of all his works, and certainly made the greatest sensation. Francis, to whom he sent the manuscript, and who felt how it would injure him with the party, strongly advised him not to publish it; but nothing could dissuade him from doing so. Its publication was greeted by the execrations of his friends and the praises of his enemies. George the Third had always regarded him with aversion, as one of the un-

compromising Rockinghamites: one of the friends and supporters of a rebellious son. But the Reflections quite changed his feelings to the author. To all his courtiers he said of this book, "It will do you good—do you good. It is a book that every gentleman ought to read." His favourites were all presented with handsomely bound copies. Louis XVI. in his confinement translated the whole work; nearly all the crowned heads of Europe sent him their congratulations. Perhaps not the least gratifying reward was the degree of LL.D. conferred upon him by the University of Dublin. His name became widely known on the continent; he was always looked up to as a friend and adviser by the royal family of France. We should gladly quote, if space permitted it, Mr. Mackintosh's hostile eulogium on the Reflections in his Defence of the French Revolution—"We can scarcely," he said, "praise or blame it too much."

It was really impossible, having taken up a position so directly at variance with his party, unless he had retired from politics altogether, that a breach could have been long avoided. The introduction of the Quebec Bill was the first occasion upon which this opposition assumed an irreconcilable character. Fox made its introduction the peg upon which to hang a long disquisition in praise of the Revolution. It was a challenge to Burke to reply; he had in private declared his intention of doing so, at all risks, if the subject should be introduced, and he kept his promise. Silence would have been interpreted as defeat to himself and to the great cause of which he was the leading champion. He was committed to speak, since Fox had, in the previous debate (April 21), imported the subject into the discussion. But he promised to avoid casting imputations upon his friend, and as he walked down to the House on his arm, sketched the plan of his speech. It was soon, however, interrupted by a preconcerted plan. Cheered by the ministerial side of the House, and interrupted by incessant calls to order upon his own side, he for some time weathered the storm; but at last, as the clamours increased, Lord Sheffield moved that dissertations on the French constitution were disorderly, and Mr. Fox seconded the motion in a speech of some length. Pitt endeavoured to induce some of the mutual friends of Burke and Fox to interfere, but all felt the delicacy and inutility of such an attempt. Things could not, however, have been made worse than they turned out. Fox, launching out into praises of the French Revolution, taunted Burke with want of information, and threatened to leave the House if he should continue his argument. Burke replied with as much temper as could be expected, declaring, however, that he was willing to meet Fox "hand to hand and foot to foot" on the subject in controversy, but that he had entertained no design of affixing to him any stigma. In the course of his speech an unfortunate incident occurred. Fox went into the lobby to procure an orange, but a number of his party supposing that he was leaving in fulfilment of his threat, rose and followed him. They soon, however, returned with their leader, feeling no doubt extremely foolish; but the mistake aroused Burke's hitherto subdued anger. He said "it certainly was indiscreet at his time of life to provoke enmity, or to give his friends occasion to desert him; yet if his firm and steady adherence to the British Constitution placed him in such a dilemma, he would

risk all." Mr. Fox here whispered that there was no loss of friendship. Burke went on to say that he was sorry there was. "He knew the price of his conduct—he had done his duty at the price of his friend—their friendship was at an end." Fox rose to reply; he appeared to labour under the most violent agitation; the tears streamed down his face, and it was some minutes before he could proceed. The House was greatly moved; but Fox's speech was not conciliatory in its matter, although accompanied by kindly expressions and hopes that time would heal the quarrel. It failed to pacify Burke, who said that a new charge had been brought against him—that of inconsistency—to prove which, light jests and unweighed words used in private conversation had been brought up in evidence. The discussion was shortly after renewed. Burke complained of the attacks which had in the meantime been made upon him in the newspapers. Fox replied in a tone of sarcasm; and, among other wounding insinuations, hinted that the right honourable gentleman's vanity misled him to attach an undue importance to the personal topics he had brought before the House. The reply to this consisted of several strong retorts; and the result was to render final Burke's separation from his party. He had walked across the house, and sat down on the front ministerial bench between Pitt and Dundas; and in truth he had no longer a choice; the old order had changed; his own party had, as he said, passed away where he should shortly follow; he had only acted in temporary alliance with their successors, but had met from them nothing but distrust and insult. For the remainder of his life, and even after his death, he was made the mark of a low hostility; and his sensitive temperament made his enemies more persevering in their attacks. The impeachment of Hastings still brought the hostile managers together. On the meeting of the new parliament in 1790, the question arose whether the dissolution had terminated the proceedings. Burke moved for a committee on the question; it was decided that the trial should proceed; but on this occasion he broke off his friendship with Erskine, as he had already done with Fox, and still earlier with Sheridan. It was at this time that he wrote his *Appeal from the New to the Old Whigs*—an essay of which George the Third expressed his warm admiration. The nature of the *Appeal* may be inferred from its title. In the session of 1790 Fox brought forward the subject of parliamentary reform; and Burke, who felt that it was the most inopportune time conceivable for tampering with the Constitution, widened the breach with the Opposition by differing from them on this subject also, as in the previous session he had differed on the repeal of the tests in behalf of dissenters. He had been perfectly willing to substitute a declaration of belief in God, and a promise not to assail the Establishment for the sacramental test. And now events happened which confirmed all Burke's prophecies about the Revolution; the bloodshed in France—the horrible September massacres—had the most intense effect upon his mind. He had held many communications with the unhappy king and queen; the French nobles and emigrés had come in crowds to his levees to hear the prophet cursing their enemies. He now became a sort of Peter the Hermit to the Crusade against the Revolution. His anti-Jacobin speeches in 1792, in which he preached war upon the gory monster



that had issued out to terrify, and ultimately to devastate Europe, were much applauded, and strengthened the hands of the ministry. When the Alien Bill was under discussion, Burke electrified the House by producing a dagger which he said was a specimen of those with which the revolutionary agents were being armed. The jokes, interpolations, and laughter with which this artifice is said to have been greeted, are pure fictions; the effect was what the orator intended. When two months after Sheridan made an ironical motion for an inquiry into the existence of seditious practices, and sneered at "the dagger scene," as he called it, Burke produced a letter from a Birmingham manufacturer stating that 11,000 daggers had been ordered, and 4000 actually supplied. Meanwhile the trial of Hastings was lengthened out by the cumbersome forms of parliament, and seemed never to be coming to an end. Not that the time actually taken up was inordinate—no more than a hundred days in all; but by dissolutions and delays they were scattered over six years. A painful scene arose on one of the examinations, when the Archbishop of York (Dr Markham) compared Burke to Marat and Robespierre. Burke, who had himself been censured on a former occasion for saying that Hastings had murdered Nuncomar, acted with great dignity, and prevented any extreme proceedings from being adopted by the House of Commons to punish the insult to their manager. Hastings was now extremely anxious to bring the trial to a conclusion. He had no fear as to the result, and was weary of the ordeal. His advocates, therefore, suddenly closed the defence, and the managers, who were not prepared to reply, had great difficulty in procuring time. At length, however, the conclusion of the trial was deferred to the next session; and the managers separated to prepare for the last great act, more hostile to each other than ever. Fox opposed the war, and had become extremely unpopular in consequence; and when the Whig Club declared its confidence in him, Burke considered this to be equivalent to a vote of want of confidence in himself. He wrote his *Observations on the Conduct of the Minority for the private perusal of the Duke of Portland*, as leader of the Whig party; and this was surreptitiously published by the person he employed as his copyist under the title of "Fifty-four Heads of Impeachment of the Right Honourable Charles James Fox." This attack would probably have been written in a more charitable spirit had it been intended for the perusal of the public. What is said to a friend in private, without appearing too strong, assumes a much darker meaning when said openly to the world. The *Observations* were certainly unjust to Mr. Fox; but their injustice may easily be excused.

When Burke was not speaking he was writing. "Remarks on the Policy of the Allies" was another essay from his pen at this time. He strongly disapproved of the way in which the war was being carried on; the allies were pursuing their own selfish ends, slicing off corners of French territory, and capturing coveted French towns, instead of marching to Paris and crushing out the Revolution. The Comte d'Artois wrote to Burke asking him to intercede for some help from the English Government to enable him to put himself at the head of the Vendéans. Burke could only reply that he had no more influence than the poorest clerk in the Government offices; his warnings

were without avail, La Vendee was shortly after crushed, and the Duke of York's campaign terminated ingloriously. Burke was now weary of parliament; he had separated from his party; he had broken with his old friends; he could not amalgamate with the ministerialists; there was nothing to delay the retirement which he meditated but the conclusion of the great trial. It came at last.

With the commencement of the session (1794) new delays had arisen. Burke moved for a committee to inquire into the causes of the duration of the trial, and the report which he himself drew up showed immense learning and deep insight into the principles of law. Thurlow, many of whose decisions it exposed, was greatly incensed, and alluded to it as the work of some anonymous pamphleteer. Burke, in a dignified speech, rebuked this treatment by the representative of the House of Lords of a 'House of Commons' Report. On the 28th of May Burke began his reply on the evidence, and it occupied nine days in delivery. This extraordinary effort, which showed all his powers to be undiminished, brought to a conclusion the fourteen years' struggle which he had undertaken for justice to India, and his twenty-eight years of parliamentary life. His imagination, his reason, the flash of oratorical genius, were never more apparent than in this great summing-up, which was worthy to be the capital of such a parliamentary life. The peroration, in point of eloquence and taste, was the purest and best sculptured piece of oratory he had ever delivered. Yet for months the decision was to be deferred; but the managers had done their work. On the 20th of June Pitt moved a vote of thanks. He truly said that whatever the result might be, this impeachment would be a warning to English governors in all time to come. Hastings' friends who attacked Burke, particularly for the insulting epithets he had applied to the accused in his last speech, divided on the motion, and it was carried in the affirmative by 55 to 21. Addington conveyed the thanks in a short and dignified speech, which was heard by Burke with deep emotion. When Pitt again moved that Addington's speech should be printed, in a few words the leading manager thanked the House for its expression, and excused his own language, saying it had been much misrepresented. They were the last words he spoke in the House. The next day he accepted the Chiltern hundreds, and retired from the disappointments, the labours, and mortifications of the political battlefield to the peaceful country life of his home at Beaconsfield. Immediately after the old Whigs joined the ministry. Burke, if he had chosen to remain, might have returned to place; but he did not regret his retirement. His only ambition now was for his son Richard, who was to take his father's seat at Malton, and in a few months to accompany Lord Fitzwilliam to Ireland in the position of Chief Secretary. The young man, who had for some time acted as legal counsel to the Irish Roman Catholics, was now to be employed to carry out his long-cherished plans of religious toleration. A dinner was given in London to celebrate his return for the borough that his father had so long illustriously filled; all was joy and triumph; but the next day the chest disease, which had lain so long concealed, suddenly revealed itself in the most desperate form. He suffered violent pain, and vomited blood. By the advice of Dr. Brocklesby he was at once removed for

change of air to Cromwell House, Brompton; but all efforts to arrest the fearful rapidity of the disease were in vain; and it was necessary at last to inform Mr. Burke of his son's almost hopeless condition. His grief was terrible beyond consolation; he neither slept nor ate; the only hope he expressed for the young man was in "his mother's prayers." On the 2nd of August more favourable symptoms appeared; his voice returned, and he could retain food. But they were deceptive. The cries of his father and mother reached his chamber as he lay; he rose and dressed himself carefully, and was supported down by the butler and housekeeper. He stayed with his parents for a while, endeavouring to soothe their agony. He said that he felt a mysterious change approaching, and entreated his father to speak to him; but the great orator was speechless—he could not trust his voice. It was the 30th of October; the autumn breeze moved the trees outside gently and solemnly. Richard, with his face full of that unearthly beauty which has been preserved in Sir Joshua Reynold's portrait of him, twice repeated the lines of Milton from Adam's hymn—

"His praise ye winds that from four quarters blow,  
Breathe soft or loud; and wave your tops, ye pines,  
With every plant in sign of worship wave—"

and expired peacefully in his father's arms. It would be too distressing to dwell on Burke's grief; all his hopes had been bound up in this son, who was, according to those who knew him best, and had penetrated his reserve, full of quiet depths of character and genius. Burke spoke of himself as dead. He wrote his will, the opening sentences of which we cannot forbear transcribing:—"If my dear son and friend had survived me, my will would have been unnecessary; but as it has pleased God to call him to himself before his father, my duty calls upon me to make such a distribution of my worldly goods as seems to my best judgment most equitable and reasonable. Therefore I, Edmund Burke, late of the parish of St. James's, Westminster, though suffering from sore and inexpressible affliction, being of sound body and disposing mind, do make my last will and testament in manner following:—First, according to the ancient, good, and laudable custom, of which my heart and understanding recognise the propriety, I bequeath my soul to God, hoping for his mercy through the only merits of our Lord and Saviour Jesus Christ. My body I desire, if I should die in any place very convenient for its transport (but not otherwise), to be buried in the church at Beaconsfield near to the bodies of my dearest brother and dearest son, in all humility praying that, as we have lived in perfect unity together, we may together have a part in the resurrection of the just." By this will he left all to his wife, except a legacy of £1000 to his niece Mary Haviland. The most universal sympathy was felt for the bereaved statesman; he received the kindest letters from Grattan, Lord Fitzwilliam, the Comte d'Artois, his faithful friend Windham, and all whose friendship was best worth having and most consoling, of those among whom he had mixed. George III. felt it was a time for substantial recognition of Burke's services to the state, and Pitt wrote to inform him that "a pension of £1200 a year was to be paid for his own and his wife's life out of the civil lists, and that it was his intention to







*H. Waller*

apply to Parliament to grant an annuity more proportioned to the retired statesman's merits." This promise, however, was never fulfilled, though the pension was made up to £2500. Burke's accepting this pension has actually been represented by his enemies as a corrupt transaction, while no imputation was ever cast upon such men as Barre and Dunning, who were pensioned for services incomparably less; or upon the Earl of Chatham, who had not saved the country, as Burke had done, hundreds of thousands. Fox's debts might be paid; Pitt held great sinecures; but Burke has been singled out for abuse as the Great Pensioner.

But little remains to be told. On the 23d of April 1795, he was present at the last great scene of the impeachment, when twenty-three peers voted for acquittal, and six—among whom, strange to say, was Lord Thurlow—voted "Guilty." The remaining two years of Burke's life were spent in retirement, but not in idleness. An absurd attack by the Duke of Norfolk upon his "Reflections on the French Revolution," called out a defence of that work. "Thoughts and Details on Scarcity" were written on the proposal to make the farmers pay higher wages to their labourers, and showed Burke to be an able and sound economist. His "Letters on a Regicide Peace" proved his mind, which his enemies reported was going, to be as brilliant and unclouded as ever; the "Letter to a Noble Lord" was written on the occasion of the Duke of Bedford and Lord Lauderdale attacking his pension in the House of Lords. This attack had drawn out an able, manly, and crushing reply from Lord George Grenville, and Burke himself was still able to prove that the lion was not so dead that the asses might fling out their heels at him with impunity. Never, indeed, had the reward of public service been more honourably deserved; for the triumphs of Trafalgar or the crowning glories of Waterloo were not more decisive in their result than the able, laborious, and persevering exertions of pen and tongue which, under the mercy of Providence, arrested and repelled from the shores of Great Britain the furious waves of infidelity, anarchy, and civil ruin.

Mr Burke's retirement was devoted also to good works of a practical nature. In time of pressure he erected a mill in the neighbourhood for the benefit of the poor; he established and superintended a school for emigrant children. In those, and in many other works of love and kindness, the evening shadows of life closed around the great statesman. His daily study was in the great Book of Comfort; and without pain, and surrounded by affectionate friends, he at last, without uneasiness, saw his end approaching. On the 7th of July 1797 he prepared for death, expressing firm confidence in the sacrifice of his Redeemer, and praying to be forgiven by God and man for those faults of temper of which he felt himself to have been guilty. The next day he spoke long of the great transactions in which his public life had been spent; and as he was being carried for a change from one room into another, he expired in the arms of his relative, Mr. Nagle. He was buried next his son in Beaconsfield Church. Mr. Fox had, in the interval before his interment, proposed a public funeral in Westminster Abbey, but it was felt that his own wish should be complied with. The Abbey never indeed had been, or will be, honoured with a nobler

memory, nor the Records of England with a more venerable name, to the last syllable of recorded time. His funeral, though he had not so desired, was attended by the great, the powerful, and the good. The pall was borne by the Lord Chancellor, the Dukes of Devonshire and Portland, Earl Fitzwilliam, the Speaker of the House of Commons, Lord Inchiquin, Mr. Windham, and Sir Gilbert Elliott. The funeral train included the noblest of every party; and not the least sorrowful were the children of the emigrant school at Pen, who knew not how great he had been in the State, but that he had been to them a father.

#### HENRY GRATTAN.

BORN A.D. 1746—DIED A.D. 1820

GRATTAN deserves far more than O'Connell the title of the Liberator. "I stood up for Ireland"—one of the last words spoken by the great patriot, might be taken as the motto of his life. Ireland has never produced a politician so perfectly without reproach, or so utterly devoted to his country; and yet, while such worthy but insignificant men as Lucas, or Smith O'Brien have their public statues in Dublin, he who may be said to have filed through the fetters of his Roman Catholic countrymen, until they were ready to be struck off by the blow of a Plunket, is missed from the streets and public buildings of the metropolis, where he was once the most honoured of Irishmen.\*

Henry Grattan's family was one of considerable importance and influence in Ireland. Dean Swift, in writing of the family, with which he was on intimate terms of friendship, said "the Grattans can raise ten thousand men." His great-grandfather, Patrick Grattan, was a senior fellow in Dublin University, and from the rich emoluments of his fellowship made a large increase to the family possessions. The property passed through his eldest son Henry, to James, who became recorder of Dublin, and was father of the subject of our memoir. He had the reputation of being an honest and worthy man, but was of an irritable temper and without much ability; while his opinions, which were entirely on the side of authority and the established order, were extremely obstinate and shallow. He had the good fortune, however, to marry the daughter of Chief-justice Marley, whose talents descending through his daughter made up perhaps for the deficiency on the Grattan side of this union.

Henry Grattan was born on the 3d of July 1746. He was early sent to a Mr Ball's school in Great Ship Street, a neighbourhood then fashionable with Dublin barristers. At the same school was educated Mr Fitzgibbon, afterwards Lord Clare and Chancellor of Ireland. After remaining at this school for a short time, he was removed at his own desire to Mr Young's school in Abbey street, in consequence of an insulting and absurd punishment inflicted upon him by the master. At this new school his conduct won the general respect of his school-fellows, among whom was the uncle of George Canning. In his seventeenth year he was attacked by a severe illness, which harassed

\* Some private friends of Grattan erected a statue of him in the Exchange.

him for a long time, and returned to him in the eventful year 1782. In 1763 he entered the University of Dublin. There he obtained the highest honours of the collegiate course, and formed friendships with several men afterwards eminent,—Foster, afterwards Speaker, Day, a distinguished lawyer and judge, his old schoolfellow Fitzgibbon, and several others. His correspondence with those friends is deeply interesting, and both shows his genius in the process of development, and the amiable and loveable qualities of his character, which men do not display so freely in the more advanced stages of life. His letters rather convey the forecast of a literary recluse and enthusiast, than of the great popular leader he was afterwards to become, a man whose voice could control the winds and waves of public assemblies—a bold and at the same time prudent statesman. Retiring, fastidious, refined, imaginative, an intense lover of Nature, and most enjoying her loveliness in solitude, he offered at this time of life all the traits of the young poet or contemplative philosopher, rather than of the man of action. But his choice of a profession, and glimpses of public life in its most exalted phases, probably counteracted the tendency of his character to develop inwardly rather than outwardly, and gave a direction to his future course, fortunate for his country, if not the happiest for himself. Perhaps a morbid turn was given to his nature by the circumstances in which he was early placed. The unkindness of his father seems to have caused him much unhappiness; it probably arose from political differences; the elder Grattan shared all the feelings and prejudices of the ruling caste, to which his son was born in opposition. This unhealthy shadow, however, was early removed; Grattan was in his twentieth year when his father died, and he thus alludes to the event in writing to his chief friend, Broome:—"The death of my father I suppose you have heard of. In the greatest agony of body, in the greatest distraction of mind, unexpectedly and impatiently, he expired." The family place was reft away from him; and he only inherited a small patrimony which his father's displeasure could not reach. He thus alludes to this in the same letter:—"I write this from Belcamp where I have been for three days without any of the family, and where I intend to continue some days longer in the same solitude. I employ myself writing, reading, and courting the muse, and taking leave of that place where I am a guest, not an owner, and of which I shall now cease to be a spectator. I tell myself by way of consolation, that happiness is not the gift of any one spot, however ancient and native, '*est ulubris animus si te non deficit aequus*,' and that wherever I go the muse and your friendship shall accompany me. Perhaps the time may come when fortune '*patre valentior*' may smile upon me, and shall enable my old age to resign my breath where first I received it. Farewell!—'tis too late to continue this epistle; I am invited to the wood by the wood-quest, the thrush, and every circumstance that attends the evening." This language breathes of great unhappiness, the wound of love, the oppression of a great sorrow, the bitterness of parting from a place his affection for which is plainly indicated in the words last quoted. But he was soon called away from gloomy musings and regrets by the trumpet-call of life; the same year he went to London, and was entered as a student of



the Middle Temple. Here he earnestly devoted himself to his studies; and if in his correspondence great traces of languor and the listless tone of idleness are often to be detected, it was but the effect of intense and ardent labour, showing itself in the intervals of fatigue. He was perfectly free from taste for dissipation; his pleasures were the pure enjoyment of nature and intercourse with like-minded men; his excitement was to hear from the gallery of the House the orations of Burke, or to stand at the bar of the Lords and listen to the speeches of Chatham, whose power of representation and splendour of pointed phrase were evidently a model to him in the formation of his own style; it was probably from the same source he drew his taste in manner and delivery. The strong impression then received is embodied in the sketch which he afterwards drew of the great orator and statesman. It is not to be supposed, however, that his genius submitted to a slavish imitation even of so great a model; we find in his early letters the same antithetic style not yet cultured down, and sometimes ludicrous from its exaggeration, overstudy, and lack of the reality while preserving the outward form of antithesis, which, brought to the greatest perfection, gave such a peculiar stamp to his mature composition. So peculiar is this stamp, that if a few sentences were taken at random anywhere from his writings or speeches, no one tolerably familiar with the style could fail to recognise them as Grattan's. Generally speaking, style comes upon mental development as form upon substance; but in Grattan's case the form came first, foreordained for, and as yet often empty of the matter which was to assume it. As Chatham was his favourite study in eloquence, so Bolingbroke was his favourite author. Whatever he gained from the latter was lamentably counterbalanced by the tinge of scepticism which his mind received from those fascinating writings; and in the dead, cold religion of his day he found nothing to resist their influence. Nor were there unfortunately in his case the springs of youthful piety to keep the heart green; for Grattan's earliest life was spent in a brilliant circle of Irish society in which the lowest tone of morals prevailed, and a total absence of religion. The point of honour was the only religion of the day. His old college friend Day was his chum in the Temple. Some interesting particulars of his life at this time are derived from Mr Day's recollections, communicated to Mr Grattan's son, eighteen years after his friend's death. "We lived," he writes, "in the same chambers in the Middle Temple, and took a house in Windsor Forest, commanding a beautiful landscape; he delighted in romantic scenery. Between both, we lived together three or four years, the happiest period of my life. . . . When we resided in Windsor Forest he would spend whole moonlight nights rambling and losing himself in the thickest plantations; he would sometimes pause and address a tree in soliloquy, thus preparing himself early for that assembly which he was destined in latter life to adorn. One morning he amused us at breakfast with an adventure of the night before in the forest. In one of those midnight rambles, he stopped at a gibbet and commenced apostrophising the chains in his usual animated strain, when he suddenly felt a tap on his shoulder, and on turning about was accosted by an unknown person—"How the devil did you get down?"

to which the rambler calmly replied—"Sir, I suppose you have an interest in that question."

We are told that Mr Grattan's habits at this period of his life were so eccentric, as to convey to his landlady, at a place where he was staying, an impression of his being deranged. "She complained to one of his friends, that the gentleman used to walk up and down in her garden most of the night, speaking to himself; and though alone, he was addressing some one on all occasions by the name of 'Mr Speaker'; that it was not possible he could be in his senses, and she begged that they would take him away; and that, if they did, she would forgive him all the rent that was due." Mr Day's reminiscences of his friend give us an amusing account of his meeting with Dr Duigenan in the Temple. The Doctor knowing that Grattan's father and Lucas had always lived in the bitterest opposition whilst they were colleagues in the representation of Dublin, thought to please the young templar by an attack upon the latter; but to his great surprise, found in the son the warmest defender of his father's enemy. The discussion passed the bounds of courtesy, and they parted in mutual wrath. In the evening Grattan came to the Grecian, where we used to meet, with a long sword by his side. Duigenan did not make his appearance, but he wrote a poem criticising Grattan's figure with his long sword. "It was comical; I showed it to your father, who was amused by the humorous turn, and so the affair ended." Dr Duigenan's subsequent animosity to Grattan is traced by the narrator to this incident. His letters at this time to his friend Broome show a considerable intellectual advance, but still it is curious to remark in places the love of antithetic balance combined with false weights. We find in every page the curiously elaborate music of antithesis and point, without much approach to any appropriate relation of sense, as if he had not yet perfectly mastered the use of a style of which he had acquired the structure. We can afford to take but one example. "Lord North, the Chancellor of the Exchequer, a man busied in state mystery, and learned in finances, spoke in defence of the court, in a manner impetuous, not rapid; full of cant, not melody; deserved the eulogium of a fervent speaker, not a great one. Grenville on the part of opposition was peevish and wrangling, and provoked those whom he could not defeat." We find in the correspondence many criticisms on books evincing considerable judgment and expressed with much precision.

About this time Mr Grattan suffered two losses which he felt extremely, in the death of a sister to whom he was much attached, and that of his mother in the following year. The latter was removed so suddenly that she could not make the disposition she had intended of her property, which in consequence passed to a distant relation. This was the second misfortune of the kind which befell Mr Grattan. From the shadow of these troubles, however, the sun began to shine upon him at last. His eldest sister married Mr Bushe of Kilfane, in the county of Kilkenny; and this placed him in a circle which was then the most refined and agreeable in Ireland. Mr Flood, Mr Langrishe, with Mr Bushe, formed the nucleus of this circle, of which Mr Grattan himself was from thenceforward to be a conspicuous ornament. In this society his genius received fresh incentives. His acquaintance with

Mr Flood was productive of much pleasure and profit to both. They wrote, they argued, they debated together. Of the private theatricals at Kilfane we have already taken some notice.\* In these Mr Grattan took a considerable part. He was an admirer and a habitual frequenter of the stage, from which he probably drew much of his peculiar love of action and effect. On one occasion when Milton's *Comus* was acted at Marlay, Mr. Latouche's place, the epilogue was from Mr Grattan's pen, and does credit to his poetic talent. At this time he was leading a life of great variety between London, Dublin, and Kilkenny. In the latter place he divided his time between Kilfane and Farmley. In Dublin he met with too much hospitality and claret for his taste; in London, he says, "My chambers are comfortable and cheerful; they entice me to be domestic and studious." Windsor too had, as of old, his visits; and there he seems to have enjoyed the melancholy of the woods and solitudes in which his morbid temperament felt at home. As he said of himself most truly, "My mind has always had a hankering after misery. I have cultivated that defect with the most astonishing success, and have now refined my mind into the most aching sensibility imaginable." And again, "The fact is, I have no resolution, and in solitude feel the most trivial incidents as great calamities." It was sometime in the year 1771 that he wrote his celebrated character of Chatham, inserted in *Barataria*, and made very generally known through the medium of elocutional works, in which we believe it was attributed to Lord Chesterfield. It was given in the *Baratinana* as an extract from a forthcoming work of Robertson. It displays a highly finished specimen of that rhetorical style of which after Lord Chatham himself, Grattan was the greatest master. In the autumn of the same year he completed his term at the Middle Temple, and became more in earnest in his legal studies, which the pursuits then generally known as the Muses had previously left little inclination for. The prospect, however, of immediately having a demand made upon his legal acquirements awakened him to the necessity of putting aside other pursuits and supplying their deficiency. The consequence was what might have been expected, an increasing dislike to that factitious and dry science. The man who wept over the works of Gray (who died in this year) was not likely to take kindly to the dull technicalities which it became necessary for him to master; and detestation of the study soon led him to dislike the profession. A visit to Paris broke the monotony of his preparations; but in the following year he was called to the bar, and for a time entered seriously upon its avocations, went circuit, and was engaged in an important suit. His client in this having been unsuccessful, his romantic generosity prompted him to return half of his fifty guinea fee. So far as we can judge from his correspondence there was at this time an unsettled state of feeling, the result of opposite impulses, which resulted in idleness and an impatient sense of weariness, arising from want of a subject of interest to fill his mind and consume its excess of fuel. Happily for him, an occasion soon presented itself to give the proper direction to his genius. On the death of Lord Charlemont's brother, Grattan was returned for his borough of Charlemont on the borders of Armagh and Tyrone. From this event

\* See memoir of Flood.

his career began as the man of the time in Ireland, the first national leader, and not as others had been, the leader of one interest. He entered parliament at a time when Government by corruption had been carried to an extreme by Lords Townshend and Harcourt, the successive Lords-lieutenant. The four or five noble undertakers with whom Government had formerly entered into wholesale contracts for votes were set aside; and the Castle distributed its own patronage, and dispensed its bribes on a well ordered and comprehensive system. "The corruption department" would have described the business of the Chief Secretary's office. The first Octennial parliament, after two prorogations to bring it properly into hand, had met and shown itself much like its predecessors. Irish trade was still tied up, and in a most deplorable and ruined condition. The parliament had never been in a more disgraceful dependence on the ministry. But the great revolution was now commencing in America, the waves of which circling down about the world, aroused a feeling of confidence and popular strength in Ireland as in other countries. The Philadelphia congress published an address to the people of Ireland; and it may easily be imagined that the struggle of the great colony in the west, to protect and free itself from the injustice and domineering propensities of the mother country, to which Ireland had herself been so long a hopeless victim, was regarded with the warmest sympathy and interest. When one-third of the 12,000 troops belonging to Ireland were ordered off to help to quell the insurrection, Lord Effingham resigned his commission rather than serve against the colonists, and received public thanks accompanied by a testimonial from the merchants of Dublin, for his bravery in not fighting; this was expressive of the feeling that prevailed in Ireland towards the American revolutionists. The English Government proposed to supply the place of the Irish troops removed, by 4000 Hessians; this proposal however was refused by the House of Commons, and it declared the intention of the king's Irish subjects to "exert themselves" to render the country secure. This vote was probably the germ of the great volunteer movement. Other symptoms of independence began to manifest themselves in the house, and determined the Government to dissolve it. A paltry measure of Roman Catholic relief had been passed by Government as a first tentative step, in view of the rising spirit of the Protestant body politic, to enlist the Roman Catholics against home rule. In this parliament Grattan appeared. A few days after taking his seat he made his first speech in the house. The following notice is taken from a journal of the day:—"Mr Grattan spoke—not a studied speech, but in reply—the spontaneous flow of natural eloquence. Though so young a man he spoke without hesitation, and, if he keeps to this example, will be a valuable weight in the scales of patriotism." This first effort was on the 15th of December 1775. He was now in his twenty-ninth year, and had attained the full strength if not the perfect ripeness of his genius. In the first session in which he spoke, he was modest and retiring, acquainting himself with the details of public business to which he now wedded himself, giving up all thought of practising in his profession. It was not until the new parliament met, in the Lord-lieutenancy of Lord Buckingham, Lord Harcourt's successor, that the blaze and power



of Grattan's genius began to be felt, scorching the venal ranks of the ministry and warming and cheering the opposition. Every precaution had been taken to make the new parliament all and even more than its predecessor had been; every disgraceful influence had been brought to bear on the newly elected members, and the creation of sixteen new peers, and elevation of many more to higher grades of nobility, quite outdid the precedent in Queen Anne's reign, which had always hitherto been looked upon as extreme. The just expectations of Government were not at first disappointed. The renewed contacts with the country from which Dr. Lucas and his friends had anticipated such a bracing effect, turned out to be only renewed contacts with bribery and corruption, making Government more expensive but not more pure. Although the debasing effect gradually wore off, the first tests showed a most utter subserviency. An English embargo had been laid on the export of provisions; this fresh blow to commerce reduced thousands to starvation. Dublin was paraded by bands of ruined manufacturers and tradesmen. A motion for the removal of the embargo, supported by Grattan, Bushe, Yelverton and Burgh, was rejected by a large majority. A motion of Mr Grattan's for retrenchment was also defeated. Matters, however, were rapidly approaching a crisis. Burgoyne had surrendered at Saratoga; Ireland was weakly guarded; the Irish Government was nearly bankrupt; the restriction of trade was becoming more intolerable and the distress occasioned by it more widespread. The fleets of the allied powers were soon to threaten our shores. It was the opportunity at last which one waits and wonders for in Irish history. The defence of the country was what men had on their lips, but a revolution was in their hearts. Lord North made a larger bid than before for the loyalty of the Roman Catholic population; a considerable measure of relief was passed in England, by which "Papists" were allowed to make leases for 999 years, and other concessions were granted which removed the most practical and galling restrictions. But the volunteers steadily increased in numbers, and many Roman Catholics swelled their ranks by connivance. The Government might bid for their favour, but they dared not arm the Roman Catholic population lest they should only add still more to the array of those unwelcome defenders. Another attempt to anticipate the storm was the introduction of export and import bills, allowing Ireland to trade with the plantations, woollen goods being excepted from exports, tobacco from imports. Of these two the export bill only passed. But the formation of volunteer companies had given a consciousness of strength which was not to be put off with a composition of the debt of justice. The time for compounding had passed by. In ominous imitation of the American colonists, a general resolution was made and carried out not to import or use any article of English manufacture. We have thus briefly glanced at the state of Ireland when Grattan entered upon public life to make our narrative more intelligible to the reader. A meeting of Burgh, Daly, and Grattan, took place at Bray to decide upon the course of action to be pursued in the next session. Daly having been taken ill, the arrangement devolved upon the two others. A form of address, composed by Daly, and corrected by Mr Pery, was adopted, in preference to a more elaborate address by

Grattan. The Government, however, were forewarned of the conspiracy. A conciliatory Address was composed, containing some reference to the state of trade, which it was hoped would satisfy the less determined, and induce them to act as a shield against Grattan's blow. The stratagem was to some extent successful. On the assembling of parliament, Grattan was met as he entered the House by Barry Yelverton, who told him the good news of the address, and dissuaded him from proceeding with his amendment. The Ponsonbys and other moderate men agreed with Yelverton. But, fortunately, Grattan was not to be imposed upon. He proposed his amendment; it was seconded by Lord Westport, a young nobleman chosen for his position, and it was supported by Bushe and Forbes. Mr Burgh, having declared that he approved of the principle, Mr Grattan asked if he spoke for the Government, to which the prime serjeant replied that he spoke for himself and his constituency (the University). Conolly, Conyngham, and Flood, also supported the amendment; and the latter had the credit of suggesting the more catching phrase "free trade" instead of "free export and import;" and had the assurance afterwards to magnify this into being himself the author of the amendment. It must be understood that "free trade" was not here used in its general signification; it did not mean that imports and exports should be free of duties, but that they should not be forbidden by foreign laws, and that the duties on them should be imposed by the home legislature. The people meanwhile supported the action of their representatives, by making non-importation agreements everywhere, and engaging to wear or use nothing manufactured in England. This, besides retaliating on the selfishness of English merchants and manufacturers, had the effect of in some degree reviving Irish industry. The nation for once in its history was unanimous; the ordinary supporters of the Government, finding themselves in the midst of a revolution, and being long free from any scruples of conscience, became suddenly quite patriotic. The amendment was carried, and the address, as amended, was brought up by both Houses of Parliament, through the long street that leads from College Green to Dublin Castle—gay with the banners and uniforms of the volunteers, around the necks of whose muskets might be seen such mottoes as "free trade or ———." The popular leaders were applauded; Mr Grattan especially, was greeted with a cheer which must have been heard in the Council Chamber by Buckingham and Eden. Consternation and rage prevailed in the castle, for such a humiliation was unprecedented in Irish history; abroad the bells were rung, cannons fired, and the whole city was in a tumult of joy.

Next day a vote of thanks was carried almost unanimously to the volunteers, who had rendered possible such an assertion of independence. This was the real beginning of Mr Grattan's career; his management of the amendment showed, as in a forecast, both the firmness and prudence of his statesmanship,—firmness that made him succeed in what others would not attempt,—prudence that made him hold back when others rashly pressed on—the two qualities which rendered him alternately the object of worship and detestation, which made the Dublin populace adore him in College Green, and try to hustle him over into the Liffey from Carlisle Bridge. If he had not in the first in-

stance, persevered against the advice of his friends, and afterwards known when to yield and accept an amendment, the united action of the House might never have been secured, and the consequences of parliament and the volunteer army falling into opposition might have been great and fatal. The excesses of the armed people which soon followed, when they stopped members entering the house—even the Speaker himself, to force upon them patriotic oaths, shows what might have been the serious consequences, if the obstacle to their wishes had arisen in parliament itself, instead of in the common enemy, the English Government. The great object of the people was a short money bill, in order that by the power of the purse the Government might be forced to grant to Ireland freedom of trade, or rather freedom to trade.

Grattan counselled good behaviour and moderation; and on the 24th of November he proposed a resolution "that at this time it would be inexpedient to grant new taxes." This was carried by 170 to 47, and next day the supplies were appropriated for six months only, instead of for two years, as proposed by the Government. Mr Grattan next gave notice of moving for a declaration of Irish Rights; what the British parliament gave now, it might take away again; and to render their victories secure it was necessary to procure the repeal of the 6th George I., and the modification of Poynings' law. Mr Grattan was now at the height of popularity. He received the freedom of the Guild of Merchants—of which he was afterwards deprived when in disgrace—and congratulatory addresses from the volunteers. Meanwhile, he was busy educating public opinion, speaking, writing pamphlets, and arousing the spirit of the people, that whatever way the parliamentary powers might array themselves, he might feel under his feet a firm foundation of popular support. He had made up his mind to bring on the declaration of right at the meeting of parliament, considering that the time was now ripe; but all his friends, Burgh, Daly, Ogle, Pery, and Ponsonby, considered it highly rash and premature to do so, and endeavoured to dissuade him; even Charlemont was timid, and only prevented by feelings of delicacy from acceding to Lord Pery's request that he would interfere, because Grattan sat for his borough of Charlemont. Edmund Burke wrote, "Will no one speak to this madman? Will no one stop this madman, Grattan?"

Mr Grattan left Dublin to escape their importunities, and retired to Celbridge Abbey, his cousin Marlay's place. There pondering on his speech, the associations of the place with Swift added to his inspiration, and probably suggested the invocation which had such an electric effect on the Irish Assembly, on an occasion so impressive, and in such a splendid train of eloquence, but that for ever passes the comprehension of a sober-minded Englishman—"Spirit of Molyneux! Spirit of Swift! your genius has prevailed; Ireland is now a nation!" Thus he afterwards said,—“Along the banks of that river, amid the groves and bowers of Swift and Vanessa, I grew convinced that I was right; arguments unanswerable came to my mind, and what I then prepared confirmed me in my determination to persevere; a great spirit rose among the people, and the speech which I delivered afterwards in the House, communicated its power and impelled them

on ; the country caught the flame and it rapidly extended. I was supported by eighteen counties, by the grand jury addresses, and the resolutions of the volunteers. I stood upon that ground, and was determined never to yield. I brought on the question the 19th April 1780. "That was a great day for Ireland—that day gave her liberty!" This was considered his best speech ; voice and manner were singular ; but he seemed like one inspired, and for rapidity, fire, and elevation of thought, nothing in an eloquent assembly had ever been heard like it. Even the Lord-lieutenant, in writing to Lord Hillsborough, had to confess that he spoke "with very great ability, and with great warmth and enthusiasm, omitting no arguments." The three resolutions were:—

"1. Resolved that his most excellent Majesty, by and with the consent of the Lords and Commons of Ireland, are the only powers competent to enact laws to bind Ireland.

2. That the crown of Ireland is and ought to be inseparably united to the crown of Great Britain.

3. That Great Britain and Ireland are inseparably united under one sovereign, under the common and indissoluble ties of interest, loyalty, and freedom."

The debate which followed was equal to the speech with which it was commenced, but we cannot dwell on its incidents. The result was indecisive ; nothing was entered on the books of the House ; the battle was drawn ; but this was equivalent to a defeat of constituted authority. The Lord-lieutenant thus expressed to the Government his appreciation of the issue :—"The sense of the House against the obligation of any statutes of the parliament of Great Britain, within this kingdom, was represented to me to have been almost unanimous." In the same year Mr. Grattan brought in a bill to remove doubts on the constitution of leases, which showed his interest beyond that of the day, in protecting the poor and weak from the oppression of the rich and powerful. In July he accompanied Lord Charlemont to the north ; a general review of the volunteers was then held by the noblemen who commanded them in different parts of Ireland. One effect of this great organisation was a healthy absorption of all the dangerous and troublesome elements and the almost entire freedom from ordinary crime that has usually been observed to accompany great political movements. The English Mutiny Bill was the next subject of excitement. The Irish magistrates refused to recognise it, and the patriotic party brought in a bill to punish mutiny and desertion ; but a proviso was inserted with an insidious design, to the effect that the army should be governed by such laws as the king should make or had made, not extending to life or limb. On the heads of the bill being referred to England, the ministry made it perpetual. Mr Grattan declared that if this were carried, he would secede, and appeal to the people by "a formal instrument." A motion which he introduced for its repeal was lost by a large majority ; but it was his habit to appeal from parliament to the people, and a pamphlet on the subject created so much sensation that Dr Jebb was employed by the Government to answer it.

In 1781 a Roman Catholic relief bill was introduced by Mr Luke Gardner (afterwards Lord Mountjoy) to which Mr Grattan at once gave his most earnest support. "It should be the business of parliament," he



said, "to unite every denomination of Irishmen in brotherly affection and regard to the constitution." This language was new and astonishing to the House. Flood and Charlemont were opposed to the bill, although it was after all a very modest one; it merely removed the restrictions upon the holding of property and education of Roman Catholic children. Possibly this is a degree of enlightenment to which we may return in the circle of time, forbidding Roman Catholic or even Christian children to be educated as such. What was once deemed wisdom may be so deemed again. Generally speaking, the volunteers were on the side of removing the penal restrictions. Many thousands of Roman Catholics had been received into their ranks as brothers in arms, and it was impossible to maintain as they stood shoulder to shoulder for the rights of Ireland, that those rights did not belong to all. "I give my consent to it," exclaimed Grattan, "because I would not keep two millions of my fellow-subjects in a state of slavery, and because, as the mover of the declaration of rights, I would be ashamed of giving freedom to but six hundred thousand of my countrymen, when I could extend it to two millions more." An important step in this direction was taken at the famous convention of volunteers held at Dungannon in December 1782. It was feared that some mischief might arise from the organisation of force, if not governed by mind. A meeting of Lord Charlemont, Grattan, and Flood, took place at Charlemont House, at which resolutions were drawn up, directed against English legislation and the law of Poynings, by which the heads of Irish bills were referred to the English privy council. After the meeting Grattan thought of the omission of the Roman Catholics; he knew that it was vain to consult his colleagues or to hope for their consent. He therefore drew up a third resolution, to the effect "that we hold the right of private judgment in matters of religion, to be equally sacred in others as in ourselves; that we rejoice in the relaxation of the penal laws against our Roman Catholic fellow-subjects, and that we conceive the measure to be fraught with the happiest consequences to the union and prosperity of the inhabitants of Ireland." Mr Dobbs, who was to bring the resolutions to the convention, was ready mounted when this was forced into his portmanteau; and being received as the product of the illustrious triumvirate, two of whom were so firmly attached to Protestantism, it was passed with only two dissentient voices out of 242 delegates voting. These delegates represented thirty thousand men of Ulster; not the men who had been crushed and trampled for generations out of human nature, and then been trampled and crushed for being monsters; but hardy yeomen who had not only been free, but had been in a position of superiority, had been accustomed to hold their heads higher than men having none but equals to measure with, and had a tradition of military valour very different from the tradition of defeat which descends to the Irish Roman Catholics, which tends to loosen their sinews and make their pulse low in the hour of fight,—and those northern volunteers were a match, if not more, for any yeomanry or militia that England could send to meet them. Some have speculated what might have been the result if Grattan had distrusted the gifts of England, and known, as he well might, that

what she gave now in a moment of extreme danger, when her army in America had surrendered and she was at war with France and Spain, she would rudely snatch back when her hands were again at liberty. He would probably then have used this army to effect the separation of Ireland; but if it is impossible for ordinary mortals to tell what shall be, never was there prophet who could tell what might have been. All over Ireland the resolutions of the convention were adopted by the freeholders and grand juries of every county; that in favour of the Roman Catholics worked; Mr Gardner's bill was introduced the very day of the meeting of the convention; and the feeling of the whole country being in its favour owing to the initiation of Mr Grattan, and the sense of brotherhood which the great national struggle had produced, it was impossible that it should not pass. It stopped short of much; it did not enfranchise Roman Catholics, or permit them to be elected to parliament, or to hold office or military command, or indeed to serve in the army, but it put them in other respects on the footing of citizens. In February 1782 Mr Grattan again brought forward his motion for an address to the king declaratory of the rights of Ireland; but corruption was still strong, and it was lost by a great majority. The source of corruption, however, was now about to fail; and how great had been its extent was to be shown by the effects of its removal. Too late, Lord North had fallen and Lord Rockingham's ministry came into power. The Duke of Portland was chosen to fill the position of Lord Carlisle, who was recalled, and Mr Fitzpatrick took Mr Eden's place as secretary. Grattan succeeded in carrying a motion for a call of the House on the 16th of April, the Speaker being ordered to summon the members to be in their places "as they tendered the rights of the Irish parliament." The new administration not having had time or material to form an Irish policy—for the outgoing secretary refused to inform his successor—asked for an adjournment of the motion of which Grattan had given notice. Mr Fox and the Marquis of Rockingham wrote to Lord Charlemont asking him to induce Grattan to defer it; the former expressed a hope that the great patriot might be able to find that some line could be drawn advantageously to both countries, and that he would show the world "that there may be a government in Ireland, of which he is not ashamed to form a part." A fortnight or three weeks was all that was desired, but not even the very flattering terms of the request could shake the firmness of Grattan. He was ill in bed when Lord Charlemont called and laid these letters before him. His answer was "No time! no time!" and he dictated a reply, the pith of which was, that they could not defer questions which were "public property." It was then proposed that Charlemont, Grattan, and their friends should take office; the Government offered to grant anything they asked for, providing they would agree to an adjournment, and not at once press for independence, but allow time for consideration. Charlemont and Grattan, however, would accept nothing; as Grattan himself said afterwards, speaking of those times,—“I was young and poor; I had scarcely £500 a year; Lord Charlemont was as poor as any peer; I as any commoner. We were, however, determined to refuse office, for our opinion, and a just one too, was, that office in Ireland was

different from office in England; it was not a situation held for Ireland, but held for an English Government, often in collision with, and frequently hostile to, Ireland." Flood, Daly, Burgh, and Yelverton were disposed to grant delay; but Grattan's influence was then supreme with Lord Charlemont, and his firmness was a second time productive of success. It cannot be questioned that he was right; he gave no time for Government influence to reassert itself; he took the moment of its removal, judging that the English ministry, whatever might be its shade, would never willingly agree to Irish independence, and that to consent to an adjournment was only to give an adversary time to organise resistance. On the 9th of April, Fox communicated to the English House of Commons a message from the king, recommending an adjustment of the difficulties between the two countries, and a similar communication was conveyed to the Irish parliament by Provost Hutchinson, who stated that he had always been in favour of the right of Ireland to independent legislation, and would give his earnest support to any vote or address with the object of obtaining it. Ponsonby moved an address in reply, which was the usual empty echo of the royal oracle. Then Grattan rose and moved his amendment; it was carried unanimously, for the new Government felt it vain to make any resistance. The repeal of the Act of 6th George I. immediately followed in the English parliament, and of Poynings' law in the Irish. Grattan also carried a bill "to punish mutiny and desertion," which repealed the perpetual mutiny act, and by another measure he endeavoured to secure the judicial independence of Ireland. Thus the freedom of Ireland was actually for a time achieved by Grattan; there was an interval which we can scarcely now credit, during which it was independent, and the giant who had rolled off the mountain of oppression was almost an object of worship. He had been offered by Mr Conolly, on behalf of Government, the Viceregal Lodge and Phoenix Park, which was somewhat as if Windsor Castle were offered to the leader of opposition to betray his party. He was now entitled to receive with unsoiled hands an honourable reward. Fifty thousand pounds were voted to him, his friends having refused double the amount.

Grattan having won so much from a liberal ministry, thought the patriotic party bound to show some consideration for the difficulties of its position. He would therefore have gone no further, and this was exactly the moment waited for by one who had been left so far behind, that Grattan never thought of him as a rival. He had stopped in the race for seven years in the enjoyment of a rich office, and had then followed hesitatingly and at a distance; but when Grattan paused at what he deemed the winning-post, Flood, who never had a chance before, rushed on alone to a more extreme goal. In vain Grattan endeavoured to recall him; he soon came to be looked upon by the country as a sorry loser of the race he had so gloriously won. The simple repeal of the act 6th George I. was not enough for Flood: he insisted on an express act of renunciation by the English parliament. In vain Grattan argued both on the ground of generosity, and that if renunciation were required the possibility of reassumption would be admitted. Parliament and nine of the twelve judges agreed with this view; but the rabble and the volunteers agreed with Flood. The latter could no

longer keep their fingers out of legislation. Grattan made one of his finest speeches on the occasion of Flood's being refused leave to bring in his Bill of Rights, and moved "that the legislature of Ireland is independent; and that any person who shall, by writing or otherwise, maintain that a right in any other country to make laws for Ireland internally or externally exists or can be revived, is inimical to the peace of both the kingdoms." The motion which actually passed, and which he substituted for this, omitted the personality. He was no doubt stung at the attempt to rob him of the honour of having made a final settlement, and for this reason opposed the view with more bitterness than, perhaps, there was occasion for. When the independent Dublin volunteers, of the corps of which he was colonel, requested him to give Mr Flood his hearty support, he took their address as a dismissal; he therefore told them that in the succession of officers they would have an opportunity "to indulge the range of their disposition." They re-elected him; but in the following October he lost the command when he voted against army retrenchment. Nothing could have been more unfortunate for the country than the rivalry and opposition between the two principal champions. It committed them both fatally; it threw one into the arms of the Government, the other into the embrace of the rabble. Grattan became reactionary; Flood, a demagogue. Had both united to consolidate and give permanence to the conquests already made, and to advance in a steady and deliberate manner, as Grattan would probably have continued to do if not committed to pull against Flood, the unhappy event of the union would probably never have happened. This dispute seemed to leave everything that had been done, open and unsettled, and encouraged the English Government to plot for a recovery of that which England had lost. A decision in the Court of King's Bench of England, by Lord Mansfield, on an Irish appeal, which was really one that had remained over from the past, and had already been argued at a great expense, and could not reasonably be brought back to Ireland to be reconsidered, appeared however to affirm Mr Flood's arguments. But what shows that Grattan was right and Flood wrong was the fact that the Renunciation Bill introduced by Mr Townshend, in January 1783, and passed without difficulty, did not render the Irish legislature secure; nothing could have done that but union and honesty among Irishmen. The result of all this was a complete revulsion of popular feeling against Mr Grattan. It is indeed one of the many lessons which history offers of the fickleness and insignificance of popular affections, only to be won by inflaming, and retained by continuing the fever of the public mind. In little more than two months Grattan became one of the most unpopular men in the country. The great exertions he had undergone, the excitement of praise, the irritation of unjust blame, had such an effect upon his health that he was advised to try the waters of Spa. On his return a marriage was arranged with Miss Henrietta Fitzgerald, but it was nearly prevented by a violent illness in which she was given over by the chief Dublin physicians; but one was discovered by the strenuous affection of Grattan, whose skill and boldness recovered her from the very jaws of death. His marriage followed, and he now fulfilled his early plan of making Tinnehinch



his home. It was a handsome house, standing at the extremity of the Dargle glen, only separated by a road from the romantic woods and lawns of Powerscourt. It had formerly been an inn, the resort of numbers who came attracted by the scenery of the loveliest spot of wood, water, and green grass, in Ireland. Mr Grattan had long selected it "with an eye of forecast" for the residence of his future life. Into this calm harbour he put for a while, enjoying a more stable and realised happiness than that of popular affection and admiration. But the interval of peace was not long. In 1783 there was a general election, and Grattan was again returned for the borough of Charlemont. Mr Flood soon produced his scheme of reform, backed up by the still unbroken force of the volunteers. There was much to be said in its favour. Parliamentary independence being won, internal reform was a natural consequence; and, indeed, looking back at the position from latter days, it is impossible to question that there was an immediate necessity for the measure; that without it everything won was insecurely held; that the time was come, and that when the same party which now opposed, endeavoured to obtain, the time had gone by; that Flood was right, though Grattan was not wrong. The former saw the need only, heedless of policy, unscrupulous of means, and made impossible for a long time (for ever, as it turned out), by injudicious forcing, what Mr Grattan would have allowed to open like a natural flower on the plant he had fostered. He deplored this inconsiderate haste, and gave the motion but a cold support, which from him amounted to nothing. On the question of retrenchment, which Flood also endeavoured to coerce parliament into undertaking, Grattan directly opposed. In both instances he was in favour of a decent delay, influenced probably by three considerations; 1st. that very great concessions had just been made, and that it was impolitic to appear insatiable and ungenerous to a new Government accountable to a jealous public opinion in England; 2nd. that public exaction in Ireland was much excited; and 3rd. that the part which he had himself taken in extorting so much, and raising so powerful a tone of public spirit, obliged him personally to use a greater moderation, and to guard against evil consequences. The part he felt himself bound to perform of opposing the popular demands and supporting the administration was one of extreme delicacy; and perhaps only to be kept clear from imputation by the character of a man who maintained the most strict and self-denying independence. There can be no doubt that the division between Flood and Grattan, dividing as it did the whole patriotic party, and making united action impossible, making one cold where the other was hot, one take the road to the right because the other chose the road to the left, was the breach through which the flood of English influence tided in, and overwhelmed the constitution asserted with so great difficulty. On Mr Grattan's part the motive of thwarting Flood was unconscious, and the feeling to do so instinctive; the doing so right. And yet in this case to do right was to divide the country, and thus to do wrong; so that although right in the abstract, and persevered in at a most noble sacrifice of popularity, and it had almost been (on more than one occasion) of life, it would have been far better

if the great patriot had led, instead of endeavouring to oppose, the progress of volunteer legislation. If Grattan had been at the head of the convention there would have been a very different result. The motion for retrenchment gave occasion to the terrible encounter between Grattan and Flood which has been already adverted to in our memoir of the latter. Grattan was in favour of economy, but not of breaking faith with England, on such an essential article of the pact as the share allotted to Ireland of military expenditure. In common with Bushe, Ponsonby, and other independent men, he stood up for an honest fulfilment of the bargain. Flood had the rashness to taunt him with the grant of £50,000 made by parliament for his services in '82. Grattan repelled the taunt with dignity, and gave a short, cool, and conclusive answer to the other accusations implied; then passing from the quiet tone of self-defence, to one of the keenest invective, he inflicted a punishment on his distinguished opponent, such probably as no public man ever endured before or since. A challenge was the instantaneous consequence; before the debate was over they left the House, but it has already been detailed how the duel was prevented by the arrest and re-arrest of Flood; and how, when the latter gave a fresh insult, he refused satisfaction, and altogether did not come out of the affair in a creditable manner, at least according to the duelling notions of the day. During the sitting of the volunteer convention in Dublin, Mr Grattan was asked by George Robert Fitzgerald to dinner, to meet the Earl of Bristol (bishop of Derry) and a number of volunteer officers of extreme opinions. After dinner an urgent message summoned him to the privy council, and but for this circumstance, which for some reason seemed much to disconcert his entertainers, he would probably have been murdered by a mob lying in wait for him. On his way to the Castle he was warned of the danger by a faithful servant. Mr Grattan, as we have said, had become an independent ally of the Duke of Portland's government; because he believed it honestly inclined, so far as any English government could, to do justice to Ireland. He was far from belonging to the stupid and fanatical school of "irreconcilables," but, in any case, the present administration was one which had in opposition supported the Irish cause; and, since coming into power, had made every concession that it was reasonable to expect from it in so short a time. Flood, on the other hand, had adopted a line of factious opposition, and had obtained a complete and baneful influence over the Earl of Charlemont. The consequence of this was the gradual estrangement of Charlemont and Grattan, and the latter being unable to carry out the wishes of his patron in parliament, bought a seat for his lordship's relative Mr Stewart, to counterbalance his retaining the representation of the borough of Charlemont. On the question of the augmentation of the army there was a complete rupture of political relations and private friendships. It originated with Lord Charlemont, who could not bear to see his own borough's representative supporting a Government which had treated him with, what he considered, disrespect. The fact was, that Lord Charlemont had shown no disposition to take the concessions of the Whigs in any light but as victories over an enemy; and in consequence of this, and of his allying himself with Flood, he had not been summoned to the meetings of the

Privy Council. Grattan, on the other hand, was ; and his attending them gave so much offence, that he was obliged to make the offer not to attend any to which his friend was not also summoned. This, however, was not deemed satisfactory, and a further disagreement having arisen on the army augmentation bill, and Grattan being unable to act as he was required, Lord Charlemont wrote in a wounded but restrained tone, desiring that, greatly as he admired his abilities and esteemed his integrity, their friendship should be at an end. Grattan replied in explanation of his conduct, hoping their intercourse might still continue, and expressing affection unalterable whatever might be the result. Charlemont, however, was much hurt in his pride, and did not respond ; and although they met frequently in the transaction of public business, intercourse between them was never afterwards renewed, and only between their families after Grattan's death. But the latter's testimony to Charlemont shows how warmly the friendship lived on in his heart. We have not quoted it in the memoir of Charlemont, and will therefore transcribe a few words from it here :—"Formed to unite aristocracy and the people with the manners of a court and the principles of a patriot ; with the flame of liberty and the love of order ; unassailable to the approaches of power, of profit, or of titles ; he annexed to the love of freedom a veneration for order, and cast on the crowd that followed him the gracious light of his own accomplishments, so that the very rabble grew civilised as it approached his person. . . . Should the author of this pamphlet pray, he could not ask for his son a greater blessing than to resemble the good Earl of Charlemont." One lamentable consequence of the separation of Grattan from Flood and Charlemont was, that his influence ceased to operate for the Roman Catholics in the councils of the volunteers, and the liberality which had been the work of the former, completely disappeared when the latter two were in command alone. Another direct consequence was the unfortunate opinion which Mr Grattan gave in favour of the appointment of Fitzgibbon as Attorney-general ; his advice decided the choice of Government, and raised up against both himself and his country a powerful and malignant enemy. Nothing could ever have induced him to recommend such an appointment had his friends not left him and pursued extreme courses, to which he felt the necessity of setting up decided obstacles. Mr Grattan gave the most useful support to Lord Northington and the Duke of Rutland, and the value of his influence and powerful words received the Government's warmest acknowledgment. When Flood introduced his Reform Bill in 1784, supported by twenty-six counties and presented in a constitutional manner, not as in the preceding year forced on parliament with armed demonstrations, Mr Grattan spoke strongly in its favour. It is not true, as it has been alleged, that he gave it a cold support as on the former occasion ; but the rejection of this bill, on the motion for its committal, by a majority of seventy-four, again put him in accord with Government, for, although most friendly to true freedom in Ireland, they could not venture at such a time on a great constitutional change. He disapproved the strong step taken by Fitzgibbon, of issuing an attachment against the sheriffs who had summoned a congress to reassemble ; but while disapproving of this course, he used

language of the severest reproof to the sheriffs, warning them that such indiscretion, if persisted in, would overturn the laws of their country. In the debate on the address in 1785 he delivered a speech memorable as a landmark in the volunteer movement, and which explains the illiberal change that had come over it in relation to the Roman Catholics. He said:—"I would now wish to call the attention of the House to the alarming measure of drilling the lowest classes of the populace, by which a stain has been put on the character of the volunteers. The old, the original volunteers, had become respectable, because they represented the property of the nation; but attempts had been made to arm the poverty of the kingdom. They had originally been the armed property, were they to become the *armed beggary*?" This marks the decline from revolution to rebellion; from the volunteers of '82, who won a sunshine hour of Irish independence, to the united Irishmen in '98, who brought about the Union. Such was the view that induced Mr Grattan to support the Militia Bill, which was undoubtedly intended to sap the strength of the volunteers. Fitzgibbon repeated the argument that the volunteers had changed, especially since such men as Grattan had withdrawn from their leadership. In this session the new Attorney-general passed an eulogium, which stands in strange contradiction to the bitter attacks he afterwards made on the man who had helped him into office. "From the first," he said, "I have ever reprobated the idea of appealing to the volunteers, though I was confident Ireland was in no danger while they followed the counsel of the man whom I am proud to call my most worthy and honourable friend (Mr Grattan); the man to whom this country owes more than any State ever owed to any individual; the man whose wisdom and virtue directed the happy circumstances of the times, and the spirit of Irishmen, to make us a nation. Sir, I say that, while the volunteers continued under his influence, I feared no evil from them; but I apprehend, what has since come to pass, that when they should forsake him, designing incendiaries would make them the tools of faction, the instruments of their vile ambition. Let me entreat gentlemen to recollect what has happened. After the 6th George I. had been repealed—after an Irish mutiny act had passed—after the law of Poynings had been explained—after the judges had been rendered independent—at the moment when the acclamations of the nation were loudest in praise of the man who had most justly become their idol at the suggestion of some person, everything was changed in a moment, and he was loaded with foul and unmerited calumny, for no other reason but because he ventured to have an opinion of his own, and chose rather to rely on the faith of a brave and generous nation, than on the fine spun quibbles of a special pleader, which ninety-nine men out of every hundred that joined in the abuse, could not understand, and which they would be as ready to censure, if the same instigators that set them on to vilify the saviour of this country had declared against renunciation."

One of the most celebrated of Mr Grattan's efforts, in the Irish parliament, occurred on Mr Orde's commercial propositions. As the eleven resolutions were first framed by Mr Pitt they were on the whole favour-



able to Ireland, and formed a commercial treaty fair to both countries; and as such they were supported by Grattan. But when the agitation of the English manufacturers forced the minister to alter them in a way that bound the legislature of Ireland to follow that of England in marine enactments, and otherwise curtailed the freedom of trade, Mr Grattan joined in the opposition by which these new propositions were defeated. It has been thought that Mr Pitt's second scheme aimed at indirectly restoring the supremacy of England: it is certain that its rejection led him to determine upon the Union. Grattan's speech on this occasion was one of his best, and had the effect of restoring his popularity. It was further re-established by his taking up the tithe question, which was giving rise to disturbances in the south of Ireland. He first introduced a resolution for the suppression of the riots, and then followed it up by endeavouring to have the whole question considered with a view to removing the cause of discontent. It has too often been the way in Irish legislation to fight the symptoms and not the disease. The motion for a committee of inquiry was thrown out by a majority of 121 to 49; but Grattan's speech in moving it was a masterpiece of eloquence and reasoning, and if it did not convince the House, it educated the country. His motion was renewed in April 1788, but the sudden prorogation of the House prevented a new division being taken on it. In the same year he visited London in consequence of Mrs Grattan's ill health. It was a period of some importance and great interests. At this time George III. had shown symptoms of that insanity which shortly after gave rise to a severe party struggle in Ireland, leading to consequences of a permanent nature. Mr Grattan during his visit became acquainted with Lord Spencer and Mr Pelham, who were, in case of a regency, to have been intrusted with the government of Ireland. A letter to Mr Day shows that Mr Grattan was at this moment speculating on the representation of the county of Dublin or of Wicklow.

When the regency question came on for decision in the Irish parliament Grattan and Fitzgibbon were the leaders of the opposing parties. With a Tory majority in England which had insisted on restricting the Prince's powers as regent to a mere performance of the state duties of the office, and a Whig majority in Ireland determined on a regent who was connected with their party having unrestricted powers, the likelihood of a collision of the legislatures was obvious, and Mr Pitt's orders to Lord Buckingham were to use any means to make the Irish parliament reflect the proceedings of the English. The usual process of corruption and intimidation was resorted to, but in vain; parliament was at length summoned in February 1789, without having been converted to the opinions of the administration by the arguments employed during the recess. Mr Grattan proposed an address, following the precedent of that to the Prince of Orange, on the abdication of James II. There was no one, he contended, to give royal assent to the Regency bill announced by the Government. Such an address moved by Mr Conolly, and seconded by Mr George Ponsonby, was carried, asking the Prince to accept the regency, with the plenitude of royal power. The Lord-lieutenant refused to transmit this address, and Mr Grattan therefore moved that it should be presented to the Prince by a committee of both Houses. This, and

a motion of censure on the Lord-lieutenant for his unconstitutional conduct, were carried by larger majorities. The address was carried over by a deputation, including the Duke of Leinster and Lord Charlemont, but the recovery of the King ended the difficulty which his illness had been the unhappy cause of displaying. The Prince himself was of course much gratified; "Tell Grattan," he said to Mr Pelham, "that I am a most determined Irishman!" But this acquisition to the nation did not at all compensate for the resentment of a most crushing party in England. Mr Pitt was determined by this dispute on a complete change of policy towards Ireland, and the prospect of the Union grew more distinctly developed in his mind. Mr Grattan was once more put into decided opposition; in 1790 he was elected to parliament for the city of Dublin, and became again for some years the undoubted leader of the patriotic party in the House and in the country. In this capacity his great opponent was corruption; and this, which was gradually like dry rot eating away the independence of parliament, and in a few years was to cause it to founder, he missed no opportunity of exposing. Mr Fitzgibbon threatened to "buy the House," and, on the fulfilment of his threat, acknowledged that this operation cost, in money, about half-a-million. Grattan some years afterwards made the following comment on this remarkable declaration:—"Half a million, or more, was expended some years ago to break an opposition; the same, or a greater sum may be necessary now; so said the principal servant of the crown. The House heard him; I heard him; he said it standing on his legs, to an astonished and indignant nation; and he said it in the most extensive sense of bribery and corruption. The threat was carried out; the peerage was sold; the caittifs of corruption were everywhere—in the lobby, in the street, on the steps, and at the door of every parliamentary leader, whose thresholds were worn by the members of the then administration, offering titles to some, amnesty to others, and corruption to all." This daring system of bribery and proscription against those who were not found amenable to softer influences was the origin of the famous "Round Robin" signed by the Duke of Leinster, the Archbishop of Tuam, and all the great peers and commoners of the honest party (as the opposition from this period might be properly distinguished) and resulted in the formation of the Whig Club, of which Grattan was the principal founder. It acted in concert with the Whig Club of England; its objects were to fight political corruption, to obtain an internal reform of parliament, and to prevent the Union. With the exception of a renewed attempt to settle the tithe question by a proposal of tithe composition very much the same as that carried forty years afterwards, not without what almost amounted to a civil war, Mr Grattan's conduct of the leadership of the Whig party in Ireland was almost entirely with a view to the above objects. So shameful were the proceedings of ministers that Grattan made a motion for their impeachment. It was defeated by 144 to 82. His attack upon the Government, however, was so very severe, and hurt the feelings of the venal majority so severely (the administration was past feeling) that a menace was raised of turning him out of the House, or presenting him at the bar of the House of Lords. As the Government did not care much for the dignity of its supporters, this vindication was

not attempted. On the 8th of April 1790, this corrupt parliament was dissolved. The public estimation of Mr Grattan was shown by his victories in the Dublin election over the Castle nominees; he and his colleague, Lord Henry Fitzgerald, were carried amid great enthusiasm through the city. It was probably with no regret that the chancellor found an opportunity of quelling the popular spirit prevailing in the capital, in a dispute between the court of aldermen, which was principally Tory, and the common council chiefly composed of Whigs. Each had appointed a different lord mayor, and the custom in such a case was for the aldermen to send down the name of a third; in this instance they refused to do so, and an appeal was made to the Lord-chancellor, who rejected the suit of the Commons in most contemptuous terms. The Whig Club took up the cause of the latter, and Mr Grattan, as the representative of the city, bore a very leading part, and acted as secretary to the Club in its controversy with Lord Clare. In 1790 the "Catholic Committee" framed a petition for the removal of the remainder of the penal laws, and from this time a considerable agitation was kept up, which at length led to the introduction of a bill in 1793 to admit members of the Roman Church to all the privileges of citizens, the elective franchise excepted. Mr Grattan warmly supported their claims, and had interviews with Mr Pitt and the Prince of Wales, in which both expressed themselves very favourable to the cause. The Lord-chancellor Clare was violently opposed to it; and did more to rouse the spirit of the Roman Catholic people than even the efforts of Grattan and the committee. The passing of the bill was perhaps in some degree attributed to the obviously approaching declaration of war by the French Republic, which made it a necessity to conciliate the Roman Catholic population, from which to draw a supply of soldiers, and prevent the enemy from gaining to their side such allies as the Irish proved at Fontenoy. But while the Government granted this measure of relief, it also adopted the precautionary measure of an "Arms Act," and the convention act against the election and appointment of committees to petition parliament. The latter measure was warmly opposed by Grattan, and proved in later days the great stumbling block of O'Connell, who was prevented by it from organising the immense force ready to obey his direction. Grattan deserved and received much of the credit of the measure to which these were appended as safeguards. His masterly speeches at the opening of the sessions of 1792 and 1793, and the eloquence which he brought to the support of Mr Hobart's bill convinced all classes in the country, and carried it through the House; while the tact with which he overcame the objections of the English Chancellor, and smoothed down all obstacles, was indispensable to the success of the bill. Mr Burke's testimony to Grattan's share in the work is very strong. "I most sincerely congratulate you, and both these countries on the final success, in the House of Commons, of the last, and the greatest effort of your genius. Your wonderful abilities were never more distinguished, nor in a better cause. You have restored three millions of citizens to their king and their country. . . . It gives me great consolation, among a thousand vexatious circumstances, to reflect that my son, who is so much devoted to you, has been of some use as a pioneer to you, who, as a great

general, have conducted the operations of the campaign." On the question of Reform which occupied some part of the session of 1793, having been brought forward by Mr William Ponsonby and supported by Mr Conolly, Mr Grattan took a different view from that of 1783. Ten years had passed by in which he had seen and contended with parliamentary corruption carried to an incredible extent. He was now ardently in favour of the reform of parliament; the time was ripe, and now, instead of being proposed to them at the point of the bayonet by a demagogue striving to distance those who had won honour legitimately, it was brought forward by country gentlemen of standing, against their own interests. Not only therefore was he in favour of reform, but he thought it not enough. It was in vain to reform parliament if the power to corrupt it was left to ministers, unless human nature could be reformed, and all men made incorruptible. This represents fairly the position he assumed on the question without burdening our memoir with lengthened quotations. A pension bill and a responsibility bill he considered were necessary parts of the radical measure that the country really required. He therefore moved "that a committee be appointed to inquire what abuses had taken place in the constitution of the country, and in the administration of the government thereof, and to report such temperate remedies as may appear most likely to redress the same." On the 11th of February, Grattan moved three reform resolutions, but the Chancellor of the Exchequer, Sir John Parnell, carried an evasive amendment by a large majority, 153 to 71. One of Grattan's warmest supporters, on this occasion, was Mr Stewart, afterwards Lord Castlereagh. In the next year the question was again brought forward, and Mr Grattan supported it; but in the days of the French Revolution, just after the regicide, and when in Ireland itself the United Irishmen were forming their plans for reform of a different kind, and the country was distracted with Roman Catholic defenders and Protestant Peep-o'-day Boys; the convention at Dungannon and the Catholic Committee in Dublin, parliament was not disposed to plunge into the cold waters of change. The defeat of the preceding year was therefore repeated still more decisively, the numbers being 142 to 44. In 1794 most important negotiations passed between Pitt and Grattan, who went over to London to see the minister. It was proposed that Grattan himself should join the administration, in the policy of which the Duke of Portland assured him there was to be a decided change. His old objection, however, to taking office (Chancellorship of the Exchequer in the Irish Government was suggested) was as strong as ever, and he resolutely refused it. Pitt appeared friendly to reform, and on the Roman Catholic question would promise so much;—"Not to bring it forward as a Government measure, but if the Government were pressed, to yield it." That the Government would be pressed was patent, as all classes in Ireland were now united in favour of it. Lord Fitzwilliam was sent over to carry out the conciliatory policy determined on; but Grattan had been warned that Pitt would cheat him, and so it proved. The history of Lord Fitzwilliam's too brief administration has already been told in this work. Mr Grattan was the mover of the address in 1795, a position strange to him. He presented the Roman Catholic petition of those who would have been his con-



stituents if not disfranchised by their faith. Edmund Burke wrote, "I congratulate you on the auspicious opening of your session. Surely Great Britain and Ireland ought to join in wreathing a never-fading garland for the head of Grattan." In February, Grattan, on the faith of the understanding with Pitt, proposed a vote of £200,000 for manning the fleet. A number of good measures were ready to enter the House; reform, emancipation, repeal of the convention act; leave had actually been obtained to bring in the emancipation and police bills, when suddenly, by some underhand intrigue, Fitzwilliam was recalled, and everything fell to the ground at once. Mr Beresford, the great placeman of the day, had been ignominiously dethroned from office, and had his revenge by representing the Roman Catholic emancipation to which Lord Fitzwilliam was pledged as immediately fatal to the country, and so alarmed the poor old king, whose sanity and insanity were never quite distinguishable, that the counsels of the Government were suddenly changed, the policy towards the Roman Catholics reversed, and the minister of this policy, Lord Fitzwilliam, recalled without the assignment of a reason. Explanation was refused by Pitt on the ground of official responsibility. Lord Fitzwilliam declared, if his offence was connecting himself with Grattan, who in an unofficial capacity had acted as his right hand man, that when an enemy's fleet had threatened their shores, and immediate supplies were required, it was on the security which his name afforded to the nation, that the supplies were cheerfully voted. The day of Lord Fitzwilliam's departure was one of the darkest that Ireland had ever seen. It was felt that wrath had gone forth; business was suspended; the capital went into mourning; the outgoing viceroy's carriage was drawn to the shore by the most respectable citizens; the reception of his successor, Lord Camden, was like the entry of an enemy; unfortunately, however, what united all in the feeling of resentment did not unite them in action. The Roman Catholics were the sufferers. In passive subjection to their rulers, and grateful for the crumbs which might fall from the table to which they could not be received as children, all was well until they were tantalised with the prospect of emancipation, only to see it unaccountably snatched away. Then they grew dangerous, and the Protestants, their allies up to this point, became afraid of them. The rebellion cloud enlarged and darkened. There was a panic among the gentry; the Orange Society was formed for defensive purposes, but the defence of frightened men often changes its character into an attack on the unoffending. Religious animosity, the great curse of Ireland, was rekindled. A wound, a hundred years old, broke out afresh. Again Protestants and Roman Catholics began to range on opposite sides; the Jacob and Esau of Ireland struggled; the former fought under the protection of the law, the latter had the law for an enemy. A persecution of the Roman Catholics was actively set on foot in the northern province and in Munster—"To hell or Connaught" was the threatening notice often affixed to the door of the terrified "papiat," in allusion to the edict by which they had been banished to that province in the reign of Elizabeth. This hint, if not taken, was followed by the destruction of their homestead. The ranks of the United Irishmen were swelled with desperate men, for whom there was no legal redress.

It was fancied that the object in view was extermination of the Roman Catholics. Roman Catholic writers have stated that this object was set forth in the original oath of the Orange Society. The assertion, however, rests upon poor authority, and it is not credible that the gentry at the head of the society would have sanctioned such an obligation. There is no doubt, however, that in some counties many thousands of harmless and industrious people were driven from their homes, and that in many localities the Roman Catholics were well nigh exterminated. The magistrates completed the work of the panic stricken Protestants; they did not allow the unhappy outcasts to haunt the scenes of their former prosperity. Many of them, without any offence being alleged against them, were thrown into prison, or impressed for the royal navy. In 1796 an Indemnity Bill had to be passed to absolve those magistrates and military officers who had performed lawless acts against their fellow-subjects. We have considered it necessary to state briefly the nature of the transition from the brightest to one of the darkest epochs in Irish history, to explain the course pursued by Mr Grattan. On the arrival of Lord Camden, he moved for a committee on the state of the nation. He claimed Catholic emancipation as an engagement of the Government which all its supporters were bound to adhere to and support. He spoke severely of the ignorance of the English ministers and their willingness to believe the falsehoods of the interested and discontented, while deaf to the authorised exponents of the people of Ireland. "The British ministers in 1792 gave hopes to the Catholics. The new colleagues in 1794 gave hopes; and both have now united in disappointing those hopes which they both had excited. The public excitement on this point is to be charged to them. So is the disappointment on the general state of affairs; they send over a viceroy professedly to unite and satisfy the people; he proceeds to the reform of certain abuses, and gets a great supply of money and men, and then they recall him in the occupation of his reforms. Having retained the money, they recall their minister of reformation, because he has displaced some of the ministers of abuses. They do this with as little regard to the feelings of the country as to her interest, and they produce by this act, which they say is done for the preservation of the empire, an unanimity against the Government, after Lord Fitzwilliam produced an unanimity in its favour." Mr Grattan concluded his speech by a sort of personal declaration of war, and defiance of the Government, which threw the House into great confusion, and drew down loud applause from the strangers' galleries. The motion was rejected by a majority of more than three to one. The ministerial members set their sails to catch the opposite breeze which blew Lord Camden over, and without the least shame opposed everything they had just before been supporting with all the glow of conscious patriotism. On the 4th of May 1795, Grattan moved the second reading of the bill for Catholic emancipation. His arguments were conclusive, but the bill was rejected by a majority of 155 to 48. The right and the glory of the day were one side, and, as so often happens, numbers on the other. Never was Grattan so brilliant; never had his blows been dealt around with a wider range and more terrible effect, and the consciousness that the cause had been sold lent desperation to his eloquence.

One concession was gained this year, and it is very doubtful if it was a wise one. Maynooth was founded for the education of Roman Catholic priests; but this was only done in the vain hope of making the priesthood loyal, and with the opposite result of making it "national," in the Irish sense of the term. It was impossible that native pastors, taken from and nurtured in the midst of the people, could be attached to a government under the sanction and with the aid of which their flocks were oppressed, sheared by the tithe proctors and farmers, driven by the magistrates, police, and military, persecuted by the Orangemen, and, as a consequence, desperate enough to believe in and stake the little that remained to them on an impossible revolution. The expectation, however, was that by endowing Maynooth with £8000 a-year, the candidates for priesthood would be saved from the infection of French principles; so ignorantly did the Government judge, as if France was not the very place of all others to sicken a Catholic of democracy. With the exception of this measure there was nothing but repression and persecution of the Roman Catholics: to drive them from their homes, throw them into prison without any charge against them, was known and justified as "vigour beyond the law." On the bill being proposed to indemnify magistrates and officers whose zeal had led them to overstep the law, Grattan moved that the judges who had gone on circuit should be summoned to the bar to say if such a bill was necessary. Through all the stages of this and similar measures that followed, Grattan strove for equal justice between Roman Catholic and Protestant, as the only antidote for the revolutionary societies with which the country was now swarming. But an irresistible force, rushing on heedlessly, swept down all opposition of reason towards the abyss into which it was soon to fall with a roar of revolution. "The Bloody Code" as it was termed by Curran, soon passed, and in April 1796 parliament was prorogued highly satisfied with its work. What was Grattan as a true patriot to do,—standing alone, as the wise man often does, and seeing the crowd separate into two extremes,—rejected by both? Was he to turn United Irishman, to correspond with France, to be the owl-like conspirator, fluttering upon errands of darkness and secrecy? He had always flown in the high and daylight regions, and could not change his species. Or was he to join the government party to which the whole representation of the country might now be said to belong; for when we find Grattan with only some twelve or fourteen supporters on great occasions, we must look upon the truly patriotic party as practically extinct. There was neither justice nor right to be had; eloquent to no purpose, convincing in vain, the little band in the debate on *Habeas Corpus* fell to seven. Meantime the great historical events of the time took their course. Tone at length carried his point, the French invasion was attempted, part of the fleet was seen in Bantry Bay: that glimpse is celebrated in one of the most famous of Irish rebellious songs, the exultation of which in a dead failure, as if it had been a grand success, is truly national, but the harmless peasantry of Cork and Kerry made no move; very different would it have been in the north. There the stern Presbyterians would have risen with the Roman Catholics, and the latter would have risked everything they had left to shake off the intolerable oppression to

which they were now subjected. In the debates at this time Grattan attacked the ministry for neglecting the defence of the country, and asserted the loyalty of the Roman Catholics, but it was probably too late to argue thus. Presumed disloyalty had been turned by persecution into a reality. The defender's oath in the beginning of the organisation had included loyalty to the king! What would a modern Ribbonman or Fenian think of that? But arbitrary arrests, plunder, and persecution, had dispelled that remnant of loyalty. General Lake's proclamation was the finishing stroke. Grattan in vain remonstrated with the Government against putting a province under military law; his motion against such desperate measures was only supported by sixteen. Meanwhile, the United Irishmen multiplied; a hundred thousand men, Roman Catholics and Presbyterians, were enrolled in Ireland. A curious relic of this alliance is to be found in the fact that to the present day the Presbyterian peasantry in the north disclaim the title of Protestant, which is understood to apply only to a member of the Church of England. The object of Pitt's government is said to have been to lash the people into open rebellion, and such no doubt was the openly expressed wish of some of Pitt's Irish governors, whose counsels moulded his policy. Mr Beresford declared in the House that he hoped the disloyal might rise, so that they might be met fairly. It is probable that the great minister saw how, over the prostrate insurrection, he might carry his plan of the Union. But for this the crisis might have been averted. Resolutions were passed in Belfast, in which some of the most compromised men joined, showing the way to peace and renewed loyalty. Grattan and his friends consulted whether they might with safety accept this overture to a conference. If Ponsonby would submit reform and Catholic emancipation again, Emmett and his party were willing to unite for those legitimate objects, and to give up their wilder projects. The question was, whether the small patriotic party that survived in parliament should appear in the light of ambassadors from the disaffected, and state the moderate terms on which they were ready to become loyal subjects. Grattan saw the embarrassment in which such a connection, even though innocent, with what was distinctly unlawful and guilty, might involve himself and his friends; the discredit it might ultimately throw on their policy, and the danger to their persons. He therefore decided against the conference, and advised his friends in that sense. He well knew, too, that Beresford and Clare would listen to no terms. After events showed his wisdom; without any cause for suspicion, he was himself watched and suspected; and if those all-powerful and unscrupulous men had been able to lay a real charge against him, there can be little doubt that his career of public usefulness would have been brought to a termination. Ponsonby's reform proposal was defeated, and so there was an end of all hope of terms; but it afterwards appeared in Emmett's evidence that if reform had been carried in parliament, it was resolved in the rebel council to inform the French directory that the differences with the Government had been adjusted. It being at length evident that nothing could be done to avert civil war, the opposition determined to secede. Mr Grattan announced this intention in his speech on reform. Speaking of America as a historical warning he said :—"I cannot banish



from my memory the lesson of the American war. . . . If that lesson has no effect on ministers, surely I can suggest nothing that will. We have offered you our measure, you will reject it; we deprecate yours, you will persevere; having no hopes left to persuade or to dissuade, and having discharged our duty, we shall trouble you no more, and after this day shall not attend the House of Commons." Out of parliament the voice of the people was stifled; county meetings were prohibited and prevented by military force. What therefore remained for Grattan to do, but to retire from public affairs, and allow events to work themselves out. In a meeting of the freeholders of Dublin, his conduct was fully approved; in his reply he stated his reasons for retiring. He also published "a letter to his fellow-citizens," in which he epitomised the history of Ireland, and drew upon himself the fury of the Irish Government. His first retreat was Castle Connell, a watering place on the banks of the Shannon; after deriving some benefit from the waters he returned to Tinnehinch. Meanwhile, the rebellion was developing; arrests, trials, and executions going on. An incident, which we will relate in Mr Grattan's own words, nearly involved him afterwards in serious consequences; it was the visit to Tinnehinch of Neilson, one of the leading rebels, accompanied by the spy Hughes, who was probably set on by Government to implicate him in the insurrection.

"I was in my study, and Neilson was shown up along with a Mr Hughes, whom I did not know. They complained very much of the excesses in the north of Ireland, and of the murders of the Catholics; and I remember the phrase used by the anti-Catholics was, 'to Connaught or to hell with you!' They stated their numbers to be very great, and I then asked, 'How does it come then, that they are always beat?' I did not ask the question with a view to learn their force, as the examination would lead one to believe, but in consequence of these two individuals boasting of the numbers of those men who could not protect themselves. Hughes then went down stairs, and Neilson asked me to become a United Irishman. I declined. He produced the constitution and left it in the room. This was nothing new; I had seen it long before, and it was generally printed and published. Hughes then returned, and they both went away. That was the entire transaction to which so much importance was attached." Grattan, we are informed by his son, had a very poor opinion of the United Irishmen, and was by them feared and disliked. But although he kept clear of any real connection with the rebels, the times were such that this was not enough to secure the safety of an opponent of Government. Against the illegal organisation of the insurgents, much more violent and ruffianly bands were formed of the loyal, who without authority attacked and plundered the houses of those who fell under their displeasure or suspicion. Witnesses were ready to inculcate any obnoxious individual. "Will nobody swear against Grattan?" was the cry of the castle hangers-on. There were several alarms at Tinnehinch. Mr Blackwood (afterwards Lord Dufferin) advised him to go to England with his family, as he was watched, and the times were dangerous. Grattan at first refused to stir; but fortunately, the trial of Arthur O'Connor, in which he was required to give evidence, obliged him to go over to Maidstone. While

the loyalists, yeomanry, and ancient Britons plundered and alarmed, the rebels in many instances forced into their ranks gentlemen of position, who, though perfectly innocent, were in several cases summarily executed. Mr Grattan was saved from the latter danger, but in his absence several attacks were made by the yeomanry on Tinnehinch House, and Mrs Grattan was at last obliged to leave home and join her husband at Llanrwst in Wales. It was the opinion of those who could judge best, that had Grattan returned he would certainly have been put to death. When in London, he was much in the society of Fox, Sheridan, and the opposition. On one occasion, owing to a supposed reference to him, in a letter which fell into the hands of Government, he was arrested and brought before the privy council; the mistake was of course explained.

Notwithstanding the serious danger of doing so, Grattan was obliged to return to Ireland for a few days, in consequence of the appearance of an insulting pamphlet, by Dr Duigenan, for which he in vain sought satisfaction, the doctor proving himself a coward, like most traducers and bullies. The opportunity of paying a hasty and almost secret visit to Tinnehinch, was too tempting to be foregone, but whilst he was there, two soldiers rode up to the door, and insolently summoned him out. Grattan garnished his table with pistols, and sent an invitation to them by the servant, who probably intimated the fare that awaited them, for they rode off. On his return to England, Grattan learned that Hughes, the spy, who had visited him with Neilson, now gave evidence that he had been sworn in at Tinnelinch, on the 28th of April, when Grattan had been in England. This charge was embodied in the report to the lords of the committee on the conspiracy, but Mr Foster, the Speaker, would not allow it to be entered on the books of the House of Commons.

The perjury of Hughes was fully exposed by Neilson himself. It seemed that Fitzgibbon had made every effort in Neilson's examination, to implicate Grattan. In this, it is obvious, he did not succeed, as he took no proceedings against him, though by a privileged libel he managed to involve him in the discredit attached to disloyalty. His name was struck off the roll of the Privy Council; he was disfranchised by the corporation of Dublin, the guild of merchants, and the corporation of Derry, and his picture was taken down from the walls of the university of Dublin. Grattan felt so high above all imputation, and the charge itself as against him was so absurd, that he does not seem to have been much mortified by the loss of his well-earned honours; but he was importuned by his friends to take some step to refute the charge. Mr Erskine, whom he consulted, advised silence, but Grattan was very naturally unwilling to let it remain against him, without putting a denial on record in history. To simple denial, however, he confined himself, because, as he said in a letter to Mr Fox, he would not publish a refutation, "lest it should appear abjuring a discomfited party in Ireland, who have been driven into the measures they adopted by the real criminals of the country, the ministers."

Mr Grattan's health was much injured by the anxiety of this period, and the various circumstances connected with his country and himself, which could not fail to prey on less morbid spirits than his were. Now,

there was a new cause of anxiety; the policy of the Government began to declare itself plainly; Ireland was at the feet of the ministry; her true friends, unable to defend the constitution they had won, some in prison on suspicion, some on charges too true; Grattan almost proscribed; there was no one to interfere—and the measure of the union was determined upon. This was enough to make Grattan face any danger; he at once returned to Ireland, but his health did not allow him to take a part in the first scenes of the great struggle, in which, by slender majorities, the assaults of the Government were repelled.

Towards the close of 1799, Grattan returned to Ireland in broken health, and at first was obliged to resist the pressure of his friends to make him re-enter parliament; but on the offer of a seat for Wicklow, he allowed himself to be put in nomination. He was unequal to attend, but was elected in his absence. The writ was delayed by the Government to the last moment. It was only by holding the election after twelve o'clock at night, on the 15th of January 1800, that he could be in time to take part in the decisive debate. At five o'clock in the morning, a loud knocking at the door of the house where he was lying ill in Dublin, announced the messenger with news of his election. He was little in a mood to rejoice. "Why will they not let me die in peace?" he said, as he heard the messenger arrive. He never could speak of the union; the mention or the thought of it drove him frantic. Mrs Grattan told him he must get up immediately, and go down to the house; and after he had started in a sedan chair, wrapt in a blanket, and armed with pistols, a friend came in with the comforting intelligence, that should assassination be attempted, his friends would come forward to help him. Mrs Grattan's reply was, "My husband cannot die better than in defence of his country."

For many hours the great battle had been raging, on which depended the fate of a legislature. At seven o'clock in the morning it was still proceeding; Bushe and Plunket had illuminated the debate with speeches, reckoned among their greatest. The House was worn out with excitement, and the debate almost exhausted, when, as the first ghostly ray of daylight struggled in, there was a whisper that Grattan was elected; the opposition could scarcely credit the strange news; the government relied upon its precautions to delay their greatest enemy. Suddenly Ponsonby and Moore went out, and immediately after the doors were opened, and pale and worn, like a spectre, Grattan entered, supported by his two friends. The whole house rose as he tottered to the table, and took the oaths. As in '82, he wore the uniform of the volunteers, but that alone remained: his power, their power, were gone. He was obliged to speak sitting; but his speech, which lasted two hours, had all the fire and rapid vehemence of former years; his own blade was keen as of yore, and a few battle-worn comrades stood by him still, but the army of patriots, which had once filled the benches he spoke from, had long melted away; not even their ghosts returned, as his seemed to have done, called up by this final emergency. Mr Corry was chosen to reply, which he did in a very insulting manner; and, when Grattan spoke in subsequent debates, the intention of the Chancellor of the Exchequer to involve him in a duel became more and more obvious. It was known that a pistol club

had been formed at the castle, to get rid of troublesome opponents; each had chosen his man, and Corry, formerly a friend and visitor at Tinnehineh, and a writer of adulatory verses, had chosen his former patron. Grattan's strength was now tolerably restored, and a good attack upon the government, in which his invective almost annihilated Corry, greatly helped to set him up. It was the third time this member of the government had ventured to assail him. The first time he had been too ill to reply; the second he had no opportunity; this was the third. Mr Bushe said he never saw such an electrifying castigation; of course it would be inadmissible in a modern House of Commons, but such invective was allowed in the days of bull-baiting and duelling. We can only quote a few sentences of this celebrated speech.

"Has the gentleman done? Has he completely done? He was unparliamentary from the beginning to the end of his speech. There was scarce a word he uttered, that was not a violation of the privilege of the House; but I did not call him to order, because the limited talents of some men render it impossible for them to be severe and parliamentary at the same time. On any other occasion I should think myself justified in treating with silent contempt anything which might fall from the honourable member; but there are times when the insignificance of the accuser is lost in the magnitude of the accusation. I know the difficulty the honourable gentleman laboured under, when he attacked me, conscious that, on a comparative view of our characters, public and private, there is nothing he could say could injure me. The public would not believe the charge. I despise the falsehood. If such a charge were made by an honest man, I would answer it in the manner I shall do before I sit down. But I shall first reply to it when not made by an honest man.

"The right honourable gentleman has called me an 'unimpeached traitor.' I ask, why not traitor, unqualified by an epithet? I will tell him. It was because he dare not. It was the act of a coward, who has raised his arm to strike, but has not courage to give the blow. I will not call him villain, because it would be unparliamentary, and he is a privy councillor. I will not call him fool, because he happens to be Chancellor of the Exchequer. But I say he is one who has abused the privilege of parliament and freedom of debate, to the uttering language which, if spoken out of the House, I should answer only with a blow. I care not how high his situation, how low his character, how contemptible his speech, whether a privy councillor or a parasite, my answer would be—a blow!" A duel followed, and Corry was wounded in the hand at the first fire. The sheriffs were on the ground, but were held back by force, and the large crowd which witnessed the meeting vehemently applauded Grattan's victory. The result of this encounter was to damp the ardour of the gentlemen attached to the Castle, who having sold their honour, did not see the reasonableness of sacrificing their lives. Bribery was a safer weapon than the pistol, and the Government devoted a million sterling to this patriotic purpose. The consequence was, that what had been for a time a slender majority against the bill, dwindled into a considerable minority, and Grattan and his party finding themselves unable to arrest the course of this literally suicidal measure, resolved to withdraw from



the House, in the proceedings of which they could not honourably take a part. Lord Clare published a violent attack on Grattan and the anti-union party, to which Grattan replied with a vigorous and eloquent defence of himself and the men of '82; this, with his speech on the second reading of the bill, were the last blows dealt by him in that great struggle to preserve Irish nationality. After the passing of the Union Bill he saw no further likelihood of his ever returning to public life, and resigned himself to a quiet and happy life at Tinnehinch. There he studied books and nature, as they are most enjoyable, both together, and kept up a pleasant intercourse with those old friends who had retired from political life at the same time, "with safe consciences but with breaking hearts." Lord Fitzwilliam made him a pressing and most gratifying offer of a seat in the English parliament, but his feelings at the time would not admit of his accepting it. But as years passed by, and the transference of the centre of the national life from Ireland to England became too familiar to excite an emotion, and new subjects of political importance arose, and old questions survived, the interest that had once appeared to be destroyed began to revive, particularly his interest in the question of the emancipation of Roman Catholics. The Union had been carried by their benevolent neutrality; the English parliament was sure to be more liberal, and less anti-Roman, than a parliament elected by the Protestant minority of Ireland, and in conniving at the loss of national independence, they had none of their own to lose, and were naturally maliciously pleased to see the ascendancy stripped of its sole legislative power. An understanding was come to with Mr Pitt that they were to obtain emancipation as the price of their country's independence; but perfidy is often, as it proved in this case, its own reward. Pitt found that the king's opposition was invincible, and not being able to carry out his engagement resigned, on the question to return to power immediately after disencumbered of his promises. The Irish members meanwhile were without a leader, and had not yet got over the strangeness and humiliation of being an influential contingent in the imperial parliament, after having been accustomed to the sole conduct of national affairs. Some had proved failures; it was considered extremely important to find some one who could rally them in a national sense. Fox and Fitzwilliam again pressed Grattan to enter parliament; he was the only Irishman of the first order of genius who could at once take the place they desired, and this time he did not refuse. Early in 1805 he was elected for Malton. Mr Pitt, who had entered into an engagement never again to bring forward the Roman Catholic claims, had refused to present their petition; it devolved therefore on Fox and the opposition. It was in the debate that arose on the petition that Mr Grattan made his first appearance in the English House. In a strange atmosphere of thought and feeling, utterly different from that of the assembly to which he had been habituated, with the failure of others to daunt him, speaking under the cloud of prejudice, and before a jury of the greatest orators and in a critical assembly accustomed to the best speaking, Grattan had everything against him. Apart from the cause he advocated, it was felt that it was necessary for the honour of Ireland that her great orator should succeed in the English House; those who doubted his complete

triumph, had for this reason been opposed to his entering the imperial legislature, lest by not establishing there his great reputation, Ireland herself should be humiliated. This feeling was freely expressed to him, and had probably prevented his accepting Lord Fitzwilliam's first offer; it now threw upon him a sense of responsibility which must have been a serious disadvantage and would have greatly impeded the natural extempore flow of eloquence in any one less naturally eloquent. But Grattan, like the poet who "lisp'd in numbers," had only to speak to be eloquent, and one fortunate circumstance was that Dr Duigenan preceded him; no finer contrast could have been chosen, no easier target for his shafts, no better whetting stone for his tongue. When Grattan, small, ungainly, unmelodious, began his speech, Pitt sat impassively with his face resting upon his hand. The House watched him, the speaker proceeded; Dr Duigenan, whose verbose ill-nature had tired and annoyed his audience, now occupied his attention: he thus summed him up:—"His speech consists of four parts. First, an invective uttered against the religion of the Catholics; second, an invective uttered against the present generation; third, an invective uttered against the past; and fourth, an invective against the future. Here the limits of creation interposed and stopped the number. It is to defend these different generations and their religion that I rise—to rescue the Catholics from his attack, and the Protestants from his defence." Then Mr Pitt involuntarily cried, "Hear! hear! hear!" and the applause ran out to meet him from the whole House. As the speaker proceeded it grew more enthusiastic, and both sides of the House united to the end in loudly applauding. Pitt turned to the member who sat by him and said, "Burke told me that Grattan was a great man for a popular assembly, and now I believe it." Perhaps this complete success of his first attempt in an assembly which could not possibly have been pleased by a style formed solely to please Irish taste, was partly due to those old evenings when the student in the Temple listened to the great orators of England, and became familiarised with the English school of eloquence. It may also be said that the distinction had not then become so marked between Celtic and Teutonic public speaking as it has in our times. Of course the Whig party were highly pleased at the success their new champion had achieved. On the death of Pitt, Lord Granville and Fox came into power, and the Duke of Bedford went to Ireland as viceroy. But the expectations which this change inspired in Ireland were doomed to disappointment. Grattan again in 1806 refused office, as in 1782 and 1795, but (along with Fox himself) he was restored to the privy council: "to be consulted, not considered," was all he asked or would accept. His policy for Ireland, had he been allowed to carry it out, would have been far too decided for the English Whigs, and without being able to do so, he would not be responsible for the policy of Government, while to the utmost of his power he would endeavour to influence it. Fox was not destined to retain power for long; he died in September of the same year. He was a true friend, and a great loss to Ireland. A general election ensued; Lord Fitzwilliam offered Grattan an English seat in the new parliament as in the last; but he preferred to stand as a candidate for the city of Dublin; and he was elected with Mr Robert

Shaw for his colleague. The Roman Catholics subscribed £4,000, to defray the expenses of his election, but Mrs Grattan, to whom, in the absence of her husband, the offer was referred, refused, with Mr Grattan's concurrence, to accept it. Mr Grattan incurred some odium as well, for supporting the arms and insurrection acts, which he considered necessary, as for refusing in 1807 to present the Roman Catholic petition, his ground being, that the parliament was untried, and it would be unwise to proceed in ignorance of the disposition of the new House. In those days, when a great proportion of the lower House represented, not the people, but the House of Lords, it was impossible to analyse its constituent parts beforehand, so accurately as it is in our own times—when, from public addresses and pledges, the exact opinions of every candidate are known upon almost every vital subject, and the probable course of legislation could be worked out like a problem in mathematics only given the initiative of the leaders of ministry and opposition. Then more depended on individual men, than on the broad streams of public opinion. Mr Grattan was therefore wise in advising the Roman Catholics to hold back for a while, and to leave the time for bringing it on at the discretion of their leaders in parliament. This advice, however, was not acted upon, and the result proved its wisdom. Mr Grattan dreaded that the question, if determinately put in the mid-stream of politics at that time, would be the rock on which the Whig party would wreck itself. Such was exactly the event. The Whigs were forced to take up the question. Lords Grenville and Grey had succeeded Fox; in March 1807, they introduced a bill to admit Roman Catholics to commissions in the army. After it had been read the first time, the king sent for his ministers, and, after insisting on the abandonment of the measure, required a written pledge that they would recommend no concessions of the kind. This ridiculous pledge which had been taken by Pitt, they honourably refused. The minister was dismissed, and Mr Perceval came into power, on a cry of "No Popery," which is stupid and Philistinish enough to be very successful with British mobs, and in vestry politics. On a motion censuring the imposition of pledges by the king, two Irishmen, Grattan and Plunket, made the great speeches of the occasion; but although the House was united in sentiment, the previous question was carried. Another censure upon the king for changing his advisers was defeated by only a moderate majority; but a dissolution of parliament followed. The king and No Popery brought in a great majority, and Lord Grey's motion, condemning the dissolution, was defeated by 350 to 155. In fact, the Whig party was almost annihilated. Mr Grattan, at this time, incurred great unpopularity, by supporting the new ministry in those measures of repression in which he had supported their predecessors. The consequence was the same as in former times, when he provoked the hostility of the volunteers, by the same disinterested and independent rectitude of conduct. This honourable and manly course was, in the latter instance, fully appreciated, and gained him the respect and reverence of all capable of appreciating dignity and independence in a public character,—the last and perfect test of patriotism which stamps it as genuine, and distinguishes the true patriot from the spurious, to be superior to the love of popularity. This is the crown of Mr Grattan's

record, that he was devoted to the service of his country ; and while he fought her battles, and was repaid with her applause, he could turn and rebuke her crimes, and scorn her capricious humours. A question that arose in his management of the Roman Catholic claims affords another instance of the same. But before turning to this, we may say that not only by his being under the sole government of conviction and principle, but by his great prudence and good taste, he acquired a very peculiar, and indeed unexampled position, in the imperial parliament. He seldom spoke ; his eloquence was most suited for great occasions, and he reserved it for such ; but when he did address the House, he was listened to with a remarkable respect, and the curious custom prevailed in the House, at least among the Irish members, though one authority speaks of it as general, of giving to him as to the Speaker, the title of "Sir." Possibly there was some feeling combined with the respect which his character deserved, that he was the most illustrious man of another country and a lost parliament.

The first proof the new parliament gave of fidelity to the "no-popery" principle upon which it was returned, was a reduction of the Maynooth grant. Mr Grattan's opposition to this piece of shabbiness was of course ineffectual. The struggle was at this period very uphill, and Mr Grattan was weary, though he never fainted. "The debates of the House of Commons fatigue me. I take, however, little part in them, and when I do speak, the speeches don't appear ; so that it makes little difference." Age too was creeping on the young templar, who forty years before had breathlessly watched the great joust, and burned to be down there among the contending heroes of debate. A new element was now introduced into the Roman Catholic question, in the royal veto upon the person chosen to a bishopric, which Mr Grattan considered he was authorised to propose to the House, as a concession in return for, and a safeguard upon, emancipation. He moved on this (May 1808), that the Roman Catholic claims should be referred to a committee of the House, but his motion was rejected by a majority of 153, in a House of 409. The proposal was then disclaimed by Dr Milner, the agent of the Roman Catholics, who representing ten Irish prelates, had instructed Mr Grattan to make the offer. On finding that it would not be accepted, they repented of the humiliation of having made it. Mr Grattan had been very cautious, and had only stated that there was such an offer, though Ponsonby had gone further, and given the authority. The fact is, Mr Grattan was as decidedly opposed to this, as he was to paying the Roman Catholic clergy. He did not wish to make Government easy by degrading religion ; and he was of opinion that the attempt would succeed in the latter respect and fail in the former. At a general meeting of the Irish Roman prelates the proposal was decisively negatived. The abortive proposition was injurious to the cause, and during 1809 nothing more was done in it. The only important episode of Mr Grattan's parliamentary life in that year, was the part he took in the attack on Lord Castlereagh, for the corrupt sale of an Indian writership. It was a great opportunity for revenge. This corruption which he had in this instance used for his personal advantage, he had learned in overthrowing the house of which Grattan was the pillar. But instead of taking advantage of the opportunity, Grattan



with a noble chivalry declined. Lord Castlereagh was deeply sensible of his generosity ; and we may here notice as another touching trait of the same noble chivalry of nature, his charge, when dying, to his son :—“ If you get into the House of Commons, I must beg of you not to attack Lord Castlereagh. The Union has passed. The business between him and me is over, and it is for the interests of Ireland that Lord Castlereagh should be minister. I must again request of you not to attack him unless he attacks you, and I make it my dying request.” In 1809 and again in 1810 Mr Grattan supported Mr Parnell's proposition for a committee upon the tithe question, which he had himself been unsuccessful in attempting to settle in the Irish parliament, though he framed the settlement afterwards adopted. In both years the committee was refused. In the latter year he again brought forward the Roman Catholic question. Domestic nomination was substituted for the veto as a concession to what was really the anti-catholic doctrine, but was technically the anti-foreign-interference view. Mr Grattan's reply was particularly able ; but the majority was dispiritingly heavy, being 104. But yet those great speeches of Grattan and Plunket, which seemed to be quite lost under such an overwhelming adverse majority, were building up the future success. They were as the great loads of granite buried in the sea to form the foundation for a breakwater of a haven ; the sea seems to swallow them all up, its empire still unbroken, until at last the rampart rises to the surface, and it is shown that past labour was not in vain. This is the comfort of the unsuccessful statesman, who knows he is right ; for one really patriotic it is enough. In 1811 the majority against the Roman Catholic claims was 63. Mr Perceval replied sharply to Mr Grattan's speech, and the latter showed that he had not lost the bitter power under which Flood, Corry, and Castlereagh had felt such bitter pangs. It was only modified to suit a more courtly assembly.

It was necessary long before success could be achieved for that one-fifth of the population whose right to a political recognition Mr Grattan advocated, that something more than words, however powerful, should be thrown into the deep sea of opposition on the ministerial side. To effect the moving of a great political change to which England is averse, a strong *pou sto* is required in the shape of agitation. This truth was recognised by the Irish Roman Catholics, and accordingly it was resolved to call together a convention to petition parliament. Except for this purpose the assembly would have been unlawful under the Convention Act. The Government, however, acted on this being only a colourable pretence. Lord Fingal and two other delegates were arrested on the chief justice's warrant. Of course such a proceeding excited very strong feelings on both sides, and in the end helped forward the cause of emancipation. In 1812 Mr Grattan presented the petition of the Roman Catholics and moved for a committee. On this occasion he thought it necessary to allude to the unexpected opposition of the Prince Regent, who had approved of the arbitrary proceedings of his Irish Government, and thrown his influence, with what threatened to be hereditary perversity, into the scale of the party of bigotry. He compared the promise of the Prince to “ the leading light that cheered their painful steps through the wilderness, until they came

to the borders of the land of promise, when, behold ! the vision of royal faith vanishes." An insulting allusion in the resolutions of an aggregate meeting to the influence which it was supposed had rendered the Prince hostile to the Roman Catholic claims, did great injury to the cause. In December 1812 Grattan assembled his friends who were the advocates of emancipation, at Tinnehinch, to prepare a bill. Plunket, Burton, Burrowes, and Wallace were there. The bill prepared by these friends in council was, as it afterwards passed, considerably modified. Mr Grattan considered success was near. When the new parliament met in February 1813 (Grattan had been returned for Dublin a fourth time the preceding October) he proposed that the Roman Catholic claims should be considered. After two nights' debate the motion was carried by 40 votes. His resolution declaratory of the character of the measure was also carried. The bill was brought in; in May it came on for a second reading. Some of the clauses, however, did not please the Roman Catholics; their disapproval was made use of by the opponents of the bill, and the Speaker's proposition to omit the principal clause allowing Roman Catholics to sit in parliament was carried by four votes through the intrigues of the Prince Regent, who thus had revenge for the allusion to "fatal witchery." The bill was in consequence withdrawn. Grattan was extremely dispirited. He feared the future of the measure being imperilled by violence, and he foresaw with an instinct that in a statesman of his experience is sometimes almost an acquired power of prophecy, that when the bill should ultimately be carried, it would be followed by the extinction of the forty shilling freeholders. In 1815 Mr Grattan gave another proof of his fearless independence of action by refusing to present the Roman Catholic petition, if tied down by the instructions of the board, which had become extremely dictatorial. In consequence, the petition was entrusted to Mr Parnell, and the connection ceased for a time between Grattan and the Roman Catholics. In this year he made a most successful speech on the question of war and peace, which completely refuted the assertion that the fire of his eloquence was going out. It caught the temper of the House and was rapturously cheered. The applause was compared to that caused by Pitt's great speech on the peace of Amiens. This gained him considerably increased weight with the English public. In May 1815, after considerable blundering, Sir Henry Parnell brought forward the petition and moved for a committee. His bad management, and the unqualified demands of the Roman Catholic board, and perhaps a sense of the ingratitude that had been shown to Mr Grattan, as well as want of moderation and good taste, made many supporters of emancipation declare they would stay away from the debate. Mr. Grattan dissuaded them, and when it came on, rose to support the motion, saluted by great applause. He condemned the application for unqualified concession. He claimed to have supported the claims of the petitioners "with a desperate fidelity;" without conciliation, however, there was no hope of success, but he would vote for the committee. The motion was rejected by a majority of 81. Next year Mr Grattan was deputed to present the petition of some of the leading Roman Catholics, but the motion founded on it was again rejected, with however a lessened

majority; so again in the next year. He was now evidently failing, but with the "desperate fidelity," which he had claimed to the cause of emancipation, the remnant of his powers was devoted to it still. Sir James Mackintosh wrote of "poor Grattan's last exhibition of his setting genius, and of that gentle goodness which will glow till the last spark of life be extinguished." His refusal to support the unqualified repeal of the window tax in 1818, led to that brutal assault upon him in which he was near being thrown into the Liffey. As it was, he was severely cut by a missile, which he caught and tossed back into the base and cowardly crowd. The greatest indignation was felt at this outrage, and much affectionate feeling shown in addresses of sympathy. Under whatever superficial unpopularity, there is generally a deep store of genuine love and veneration for men like Grattan. In the following year he made his last appeal for his Roman Catholic fellow-countrymen. He was very anxious for the future, and the following short account of a conversation with his friends Burrowes and Berwick, contains something perhaps of unfulfilled prophecy.

"I fear that some time or other this question will be fatal. It will make the Irish people distrustful, and never place any confidence in England. The people take no interest in the imperial parliament. It is too far and its remedies too late. If taxes increase and jobs continue, and trade does not flourish, I doubt that the Union will hold. It has sunk the country, and I do not see any good resulting from it. The best of our people have become absentees, and Dublin is ruined. Ireland held up her head formerly, but she is now a beggar at the door of Great Britain." Then striking his forehead, he exclaimed, as in anguish, "There is no thinking of it, but these countries from their size must stand together, united *quoad* nature, distinct *quoad* legislation."

His last speech in the Catholic cause was the usual motion for a committee, and in the division the adverse majority was but two. For twenty years, fifteen of which were in the English parliament, he had fought this battle, through evil report and good report, from middle life to old age. It seemed certain that in the next division the cause would be successful, although in reality, as we shall see in Plunket's memoir, it did not prove so. In the autumn of 1819 Mr Grattan caught cold and his breathing became much affected. Through the winter he was worse, but spring revived him. He rejoiced once more in the exquisite beauty of nature's resurrection; he was soothed by the soft airs; but he knew that his days were numbered, and determined to give the end of his life to his fellow-countrymen. A consultation was held by his physicians, and they forbade him to go to parliament, and made him understand that the consequences would be fatal. He nevertheless desired Parnell to give notice that he would bring on the Roman Catholic question on the 10th of May. He became worse. Once more he was wheeled round his grounds. He said "it gives me pleasure to go round it and see the old spots, and revisit even for the last time, the place of my younger days; thirty-six years since I came here." He received the consolations of religion humbly; his friends, Bushe, Plunket, Burrowes, and Berwick, came to bid him goodbye. The separation of these great men was affecting. Everyone tried to dissuade him from going over to parliament, but he would go. He managed to reach

London: he was agitated in leaving Ireland; the quays were lined with people who cheered him as he embarked. Mortification, which had set in upon the journey, proceeded rapidly. When told it would cost him his life to go to the House, he repeated twice, "*It is a good death.*" At length the impossibility became apparent; he resigned himself to the great disappointment of not actually employing his last breath in the cause. He desired to be buried in the churchyard of Moyanna in the Queen's County, the property which the people of Ireland had given him in '82; but when the desire was strongly expressed that the Abbey should be the place of his repose, he gave his consent to Westminster. After adding to the paper which his son had written for him on the Catholic question, "I die with the love of liberty in my heart, and this declaration in favour of my country in my hand," asking that it should be read in the House by Plunket, to whom he bequeathed the cause of emancipation, he called his family about him, and expired. Thus passed away one of the gentlest and best spirits of his own, or indeed, of any day; and there does not sleep, in the old Abbey, a really greater man.

## DENIS DALY.

BORN A.D. 1738.—DIED A.D. 1791.

MR DALY was a man of good family and position, and one of those able speakers who make the history of the last fifty years of the Irish parliament of such illustrious memory. He entered the House of Commons in 1769, and continued in parliament up to the time of his death. In 1778 he moved an address to the King for the removal of the embargo, and his speech on this occasion raised him to a level with those great men who supported him—Grattan, Yelverton, Fitzgibbon. In the sessions of 1780 and 1781 he also took a distinguished part, but not so honourable; for having accepted the office of Muster-master with a salary of £1,200 a year, he spoke in the former year against Irish independence. He had said himself, alluding to Mr Burgh, to whom the remark proved inapplicable, that the Treasury Bench resembled the grave—it levels all distinctions. "If I live I shall answer it," said Mr Burgh, and not long afterwards he might have done so with bitter effect. After attaching himself to the government Mr Daly seldom spoke; and, when he did so, briefly. His eloquence was described as producing the effect of a succession of electric shocks. His sentences were each perfect in itself, and had a point of its own. This is the characteristic of carefully prepared speaking, and Daly was said to take much pains with his speeches. Although his audible part in parliament ceased to a great degree on joining the Government, he still took an active share in the business of the House. It is to his credit that he did not lose the friendship of Grattan, who had a great reliance on his judgment and received from him much private assistance. Nor can the connexion with the Government of a man so honest at heart and truly patriotic in feeling have been without more good effects than we can trace. Grattan described his death as a "prodigious loss," and



thought that, had he lived, his influence with the Government and people might have prevented the insurrection of '98.

#### EDMOND SEXTON, LORD PERY.

BORN A.D. 1719.—DIED A.D. 1792.

EDMOND SEXTON PERY was the eldest son of a clergyman, of a respectable Limerick family. He was called to the Irish bar, and rose rapidly in his profession. He was offered and refused the office of Solicitor-General. At the age of thirty-two he entered parliament for Limerick, and soon became distinguished for his eloquence, which was most perfect—of the calm, weighty, large order; but he was still more noted for tact, judgment, and knowledge both of things and men. There were many able politicians in the Irish parliament, but Pery was a statesman among politicians. He was, moreover, in a long period of the foulest corruption, perfectly honest and true to his country. In 1771, Mr John Ponsonby having resigned the speakership, Mr Pery was elected in his stead. His conduct on this occasion, in supporting the Government, was the only act that laid him open to reproach. He continued to fill the position until 1785 with rare ability and discretion. Most of the great measures in favour of the trade and people of Ireland during this interval of fourteen eventful years were either suggested by his advice, or revised and matured by his wisdom. The following is Mr Grattan's description of him:—"He was more or less a party in all those measures which the pamphlet condemns,\* and, indeed, in every great statute and measure which took place in Ireland for the last fifty years. A man of the most legislative capacity I ever knew, and the most comprehensive reach of understanding, with a deep graven impression of public care, accompanied by a temper which was adamant. In his train is every private virtue which can adorn human nature." In his speech at the bar of the Lords, in 1773, he laid the foundation of the freedom of Irish trade. He revised the celebrated document drawn up by Grattan and Daly in 1780, and was the Nestor of the party which won for Ireland a short-lived independence. In all the great questions of the day he was the wise adviser of Grattan and his friends, particularly on those of the corn laws and tithes. In 1785, he resigned the speakership, and was created Viscount Pery, of Pery, near Limerick. Having left no male heir, the title became extinct on his death. After his elevation to the House of Lords, he took little active part in politics.

#### THEOBALD WOLFE TONE.

BORN A.D. 1763.—DIED A.D. 1798.

A MEMOIR of Theobald Wolfe Tone is an appropriate preface to the important part of Irish history which has not been fully entered into in the preceding memoirs. It will afford the point of view from which

\* In allusion to Lord Clare's pamphlet.

alone many of its events can be fairly judged of. This gives it a greater importance than it intrinsically possesses, and obliges us to give it at a length disproportionate to the man, though not to his times. In his case we enjoy an advantage which is wanting in writing the memoirs of far more illustrious men, who have left only broken lights of their lives spread over the surface of the past. There is no one distinct reflection, but slight notices scattered up and down through many books, and only to be brought together again by painstaking research, and their lives reconstructed by a kind of comparative process. But in the case of Tone we have the ample biography written by himself and his son; and seldom have the lessons of an awful experience been given with the same effect and reality, or cast more true light upon the events of a troubled time. And here we may premise that, having to use Tone as the exponent of so much evil, and to treat him almost entirely with reference to what is worst in his life, there is necessarily some injustice in the representation. Tone was a scholar, a man of the warmest and kindest nature, overflowing with goodness, gaiety, and all the social qualities that make a delightful companion in their greatest perfection. Even as we look at his portrait the noble-souled and beautiful face wins upon us, and deprecates our blame. His misguided patriotism was sincere; it was simply perverted by the errors of his nature. Sensitively alive to influences, full of passion, pride, love of adventure, impatient of the sober and trite pursuits of life,—ingenuous, quick, and speculative, while superficial, he was just the man who, according to his walk in life, would be the projector, the visionary, or the plain scamp. He had with this disposition the misfortune to be early mixed up with persons, scenes, and actions, most likely to unsteady a youth with a passion for adventure, and to give it a dangerous direction. We wish to enter such pleas, and to endorse such endearing praise as his contemporaries bestowed upon him most emphatically, as we are about to trace him through much that is to be condemned, showing imprudence, want of principle, and perversion of the moral sense.

His early life has a romantic interest. His father inherited a small leasehold property near Naas, in the county of Kildare, and when it fell into his hands, being in good business as a coachmaker in Dublin, he let it to a younger brother, and this unfortunately gave rise to a litigation which ended in his ruin. He had several children, all remarkable for the same restless temper we have described in the eldest. Their history, as related by Theobald, is very illustrative of the family characteristic. He speaks of their vagrant turn, and not being like other people, but having all a wild spirit of adventure. Having been sent to a school kept by a Mr Darling, he showed, by strong desultory efforts prompted by the love of distinction, notwithstanding much idleness, that he possessed very unusual talents. The schoolmaster advised his father to send him to the university, where he would be sure to obtain a fellowship. This view was sustained, he informs us, by the parson of the parish, who was sometimes his examiner, and was struck by his progress in Euclid. It having thus been determined that he was to be a fellow, he was removed to a school kept in Henry Street by the Rev. William Craig. Here he found that he could perform the week's tasks in three days, and having entered into a conspiracy with the other senior boys,

this plan was generally adopted, and was either permitted by or imposed upon the master. This habit of "mitching" prevented his progress in mathematics from being equal to its promise; and the studies which were paid for out of his father's poverty were deserted for field-days and reviews in the Phoenix Park. To this Tone traces "the untameable desire which I have ever since had to become a soldier." The consequence was that, as the time for his entrance to the university drew nigh, his aversion to a student's life increased, and he began to exhibit an obstinate opposition to his father's wishes. A violent quarrel with his poor father was the consequence, and this is recorded in the following characteristic manner:—"My father was as obstinate as I, as he utterly refused to give me any assistance to follow my scheme." When this shameless sentence was written, the writer knew that his father, in his own great distress, had made a heavy sacrifice in bringing out his promising talents, and was afflicted and incensed at the profligate use which had been made of his kindness. The father was "obstinate," and the son, who had thus outparalleled the prodigal in the parable, was compelled to sit down to his studies "with a bad grace," and with some exertion entered the university in his eighteenth year, under Dr Matthew Young. This gave a new impulse to his excitable temper, and he prepared with industry for his first examination. In this, too, his evil star prevailed. "I happened," he says, "to fall into the hands of an egregious dunce, one —, who, instead of giving me the premium, which, as the best answerer, I undoubtedly merited, awarded it to another." This gave an unhappy recoil to the vain and irritable mind of Tone. He urged his father to equip him as a volunteer for the American war. "He refused me as before, and, in revenge, I would not go near the college, or open a book that was not a military one. In this manner we continued for about a twelvemonth on very bad terms, as may well be supposed, without either party relaxing an inch from their determination." The full merit of these sentences will not be appreciated by the reader unless he bears in mind that they are deliberately composed records written sixteen years after, for the amusement of his own children. In whatever degree he may have attained the honours bestowed by the university, we are assured by his contemporaries that his wit was unrivalled by any of the persons of his time, whose names are handed down as celebrated for this quality. His diary abounds in fancies, grave or gay, according to his mood, and runs in a profuse stream of sarcasm, humour, fun, and levity. Such powers and a light accommodating good-nature, combined with the peculiar charm which can be seen in his face, and which hangs like a fragrance round such a character, secured him many devoted friends. And it was to the friendships formed in those college days that he was indebted in after times for many serious obligations, which from such men would be very surprising, considering the courses into which he had fallen. Of the remainder of his college course, it will be sufficient to say that, though he had the firmness not to give way to affection or duty, Tone was brought back to his studies by the flattering influence of his friends; and his great talent, notwithstanding the time he had wasted, enabled him to win a scholarship and three premiums. He was more characteristically distinguished by being second in a duel

between two college lads, in which his principal shot his opponent dead. Tone was not prosecuted. After falling violently in love with a lady of rank, to whom his talent for amateur theatricals introduced him, and narrowly escaping a tragical termination of his passion, he became acquainted with a young lady named Witherington, not sixteen years of age, very pretty, living with, and heiress to her grandfather, the Rev. Mr Fanning, who was old and rich. The acquaintance grew to love, and the consent of her friends being refused, Tone eloped with and married her. This step being irrevocable, was soon forgiven on all sides, and in consequence, the idea of a fellowship was abandoned, and the bar adopted instead. Tone graduated in 1786, and resigned his scholarship. Among the honours which his talents had enabled him to obtain without exertion was the post of Auditor in the Historical Society, equivalent to President of the English University Unions. He also obtained medals for distinction in the Society, and delivered one of the closing speeches from the chair, with which the annual session was concluded. From the house of his wife's family he represents himself to have been driven by ill treatment to the home of his father, whose affection seems to have outlived every shock. Here, in 1786, an incident occurred which shows in a high degree the affection and courage of his wife. The house was broken into by six armed men, who bound the whole family and for two hours deliberately pillaged; the alarm was given by a maid-servant who had escaped. When the robbers fled Tone recovered his feet, but was horror-struck at receiving no answer to his calls; for the family in their terror had left the house, and sought a securer refuge. Mrs Tone, finding that her husband had not accompanied their flight, went back alone through the darkness a considerable distance, and released her husband from his bonds, and from his fears that all the family had been murdered. "This terrible scene," he says, "besides infinitely distressing us by the heavy loss we sustained, and which my father's circumstances could very ill bear, destroyed in a great degree our domestic enjoyments. I slept continually with a case of pistols under my pillow, and a mouse could not stir that I was not on my feet."

Notwithstanding the extreme depression of his circumstances, Tone's father managed to scrape together enough money to enable his son to pursue his studies at the Temple. There could not have been a more urgent case to give the exercise of his ability its utmost impulse, than that in which Tone now stood. He was no more a "mitching" schoolboy, whose want of consideration might be excused; he was a husband, a father, and an educated man. The only likeness was the poverty from which were wrung the means of advancing him in his career. The sacrifice was needful, was grateful to his father himself, but demanded one return. With this preface we shall make Tone relate his own story. "I set off for London, leaving my wife and daughter with my father, who treated them during my absence with great affection. After a dangerous passage to Liverpool, wherein we ran some risk of being lost, I arrived in London in January 1787, and immediately entered my name as a student at law on the books of the Middle Temple; *but this I may say was all the progress I ever made in that profession.*" Again, "I was, likewise, amenable to nobody



for my conduct; and, in consequence, I never opened a law book." Tone was, as we have stated, a man of kindly affections and amiable manners; his wife and he lived many years in happiness together; but it is apparent, sense of duty or principle of right and wrong had but the slightest place in his mind. His goodness was the result of strong impulse, but he was inconsiderate, and like all inconsiderate men, could be both unjust and cruel in cold detail. Exceeding levity is prominent throughout, and makes him appear better and worse than the reality. Anxious to extend his resources and maintain the appearance of a gentleman, Tone now exerted his talents, and continued to extract some pounds from periodical literature during his two years sojourn in London. He was still more indebted to the generosity of his associates, from one of whom, John Stevenson Hall, he acknowledges to have received £150 in some pecuniary difficulty. But under all these circumstances neither the life of pleasure he was leading, nor the essential levity of his nature, could conceal from him that something must be done to save a needy man from penury, a vain man from utter shame. In the intervals of dissipation, perhaps, he remembered the claims of his family and the expectations of his friends. He determined on a grand stroke which might place him *per saltum* upon the summit of fortune. This was a scheme to establish a colony in one of Cook's islands in the South Seas, "in order to put a bridle on Spain in time of peace, and to annoy her grievously in that quarter in time of war." In arranging this plan he read all the books which could throw any light on the subject, "and especially the *Buccaniers*, who were my heroes, and whom I proposed to myself as the archetypes of the future colonists." We have only to add, that he intended himself to play the hero after these classical models of his selection. The history of the *Buccaniers* is now not much known, but it is a fearful illustration of all the worst parts of human nature, and cannot be studied without disgust and contamination. But there are ample indications that the wild and lawless freedom, and the reckless spirit of adventure, gave real charms to his own proposal in Tone's eye. He could not, however, get Mr Pitt to see its beauties; in fact, though the project was duly presented to him, the great statesman took no notice of it, and this neglect of his first-born political project was keenly resented by its author. "It was," he says, "my first essay in what I may call politics, and my disappointment made such an impression on me, as is not yet quite obliterated. In my anger, I made something like a vow, that if I ever had the opportunity, *I would make Mr Pitt sorry*, and perhaps fortune may enable me to fulfil that resolution." When the after circumstances of Tone's life are remembered, there is something strangely solemn in this, in which some evil genius would seem to have whispered to his breast. About the same time he received a letter from his father filled with complaints, "which I afterwards," he says, "found were much exaggerated." The immediate effect was to throw him into a state of intense resentment, in which his vindictive feelings against Pitt were for the moment forgotten in rage against his father, whose love he had so ungratefully requited. He resolved to cast away all ties and sacrifice all prospects for the sake of wounding the breast which had so indulgently cherished his wayward youth, and would still protect him from himself.

He resolved to enlist in the India Service. Unfortunately, for it had been better for him, he met with a disappointment. On his arrival at the India house he ascertained that he had come too late for that year, but might be received and sent out on the next. He returned home, and was called to the bar with the purest ignorance of law; but as £500 of his wife's fortune was now paid he laid out £100 in law books, and for some time was assiduous in his attendance at the courts. It is needless to detail the incidents of his legal career; it was short and unproductive, though his natural talent, address, and manner, and the extended acquaintance which he had among the members of the profession, were the means of obtaining greater notice and employment than could fall to most beginners. Feeling a very reasonable despair of professional success, and a still increasing hatred to the study of law, he now decidedly turned his thoughts to politics, and tried his hand upon a pamphlet in defence of the Whig Club. He observes of it in his diary, "Though I was very far from entirely approving of the system, I yet agreed with them as far as they went, though my own private opinions went infinitely farther." His pamphlet had some success, for the Northern Whig Club reprinted it for distribution, and afterwards discovering the author, elected him one of their body. Another consequence was his being retained in a heavy suit with the Ponsonbys, one of whose political connections made very promising overtures to him, and led him to hope for great advantages. In consequence of this he attached himself to the Whig Club for a little time, but he soon found that his expectations were likely to lead to nothing. Beyond the fee of eighty guineas which he had received, Mr George Ponsonby was very civil to him whenever they met, but never said a word on politics. He therefore resolved to abandon this party as hopeless, but he adds, "My mind had now got a turn for politics; I thought I had at last found my element, and I plunged into it with eagerness." This was indeed a discovery for one whose views had already gone "infinitely farther" than the Whigs, and may help to illustrate the great care, study, and deliberation, which had been employed in the formation of those views. We are not indeed long left in doubt as to their nature; he mentions on the same page that he had discovered what he might have found in Swift or Molyneux, "that the influence of England was the radical vice of our Government, and consequently, that Ireland would never be either free, prosperous, or happy, until she was independent, and that independence was unattainable while the connection with England existed. "This theory," he adds, "has ever since directed my political conduct." This was the virtual commencement of Mr Tone's career, and the germ of many woes to him and to his country. It was about the year 1790. We have now traced Tone to the full-grown stature and maturity of his theory. With his newly acquired theory Tone's character seems to change; the folly and insignificance which glitter like froth over the previous pages of his diary seem to be lost in the consciousness of a great congenial purpose. Ireland rose on his imagination in place of the South Sea Islands, and his favourite Buccaneers found a captivating place in the long perspective of an Irish revolution. Those who had slighted his plans or his abilities, were now, he thought, to learn by experience the man

they had lost. But we may be thought to anticipate events whilst thus tracing out the fast flowing tendencies indicated in the preceding pages. "An occasion soon offered," writes Tone, "to give vent to my new opinion. On the appearance of the rupture with Spain, I wrote a pamphlet to prove that Ireland was not bound by the declaration of war, but might and ought to stipulate for a neutrality. In examining this question I advanced the question of separation with scarcely any reserve, much less disguise." The blow was evidently well meant and heartily given, and it cannot be doubted the author expected a result, but he adds, "the public mind was by no means so far advanced as I was, and my pamphlet made not the smallest impression." The pamphlet was nevertheless read by many persons of known public character, and Tone heard some unpalatable truths in his bookseller's shop. We may here, in passing, say that this pamphlet was in a high degree adapted for the suggestion of some of those apprehensions which are said to have led to the Union, and by indicating the views of an extreme party which soon after began to make its appearance, it certainly gave just ground for such fears. At this period he formed a close friendship with a Mr Russel, whose name must often occur in this memoir. For the present, it may be enough to state, that Mr Tone describes his character as being suited to his own by an "identity of sentiment." In the summer of 1790 he took "a little box on the sea-side at Irishtown." Here his family, his friend Russel, and occasionally his brothers, were accustomed to meet. Wit, politics, and conviviality gave a charm to the days they passed together, and to the "delicious dinners, in the preparation of which, my wife, Russel, and myself, were all engaged." There was surely something of a wild unfettered character in those half-gipsy merry-makings, which must have harmonised richly with the bold background of Mr Tone's visions of future glory. During this interval one more chance of realising the favourite day dream of his heart seemed to offer itself. The stormy appearance of a rupture with Spain, and the advice of Russel, induced Mr Tone to renew his suggestions to the British Government on the Buccaniering scheme. The ministers seemed to approve of his plan, which not only showed talent, but indicated a serviceable agent, in case such a design might be adopted. He now received answers of at least a considerate and approving kind, which for a moment awakened his hopes. But the whole came to nothing, and we come to the comment which is happily characteristic,—"if the measures we proposed had been adopted, we were both determined on going out with the expedition, in which case, instead of planning revolutions in our own country, we might be now, perhaps, carrying on a privateering war (for which, I think, we both have talents) on the coast of Spanish America." After a sentence more, he adds, "the minister's refusal did not sweeten us towards him. I renewed the vow I had once before made, to make him, if I could, repent of it, in which Russel most heartily concurred. Perhaps the minister may yet have reason to wish he had let us go off quietly to the South Seas. I should be glad to have an opportunity to remind him of his old correspondent, and if ever I find one, I will not overlook it. I dare say he has utterly forgot the circumstances, but I have not." If there be any value in expression, these are the deep

breathings of the sleuth-hound revenge. Freely as we admit the qualities that left a kindly impression on many good judges of men, we are bound to say that there was no virtue, much less heroism, in the motives which prompted his career; they were rather those of wild romance, and deeply seated revenge, love of active emergency and confusion, with a settled animosity against order and lawful authority. The wrongs of Ireland supplied a cloak of more dignified motives. But this may be said as much in apology as in blame. In 1791, we have the following statement from Mr Tone,—“to subvert the tyranny of our execrable government, to break down the connection with England, the never failing source of all our political evils, and to assert the independence of my country, these were my objects.” For gaining these objects the method stated is the union of all classes of Irishmen. The nature of this union is described indirectly in a few sentences, in which he states his reason for not addressing himself to the Roman Catholics: he says, “I know well that, however it might be disguised or suppressed, there existed in the breast of every Irish Roman Catholic an inextirpable abhorrence of the English name and power.” How far this assertion is calumnious or true is not the immediate consideration. The Church of Rome is not here upon its trial. It is only mentioned to show the animus of the proposed union; it was unnecessary to address the Roman Catholics because they were imbued with the proper spirit already. In 1791 he published a pamphlet under the signature of “a Northern Whig,” purporting to be an argument on behalf of the Roman Catholics of Ireland, in which the whole basis on which he argues is contained in the principles of the French Revolution, and he appeals to that event to obviate the fears that might be felt of the Roman Religion being put in ascendancy by separation, a parallel which the pious Roman Catholics of Ireland would certainly be unwilling to admit. Such was the appeal which first raised Mr Tone to great authority. It was distributed far and wide, new editions were called for, and it was rapidly disseminated through the whole kingdom. It introduced Mr Tone to the principal persons with whom we find him acting during the remainder of his Irish career. “As my pamphlet,” he says, “spread more and more, my acquaintance among the Catholics extended accordingly. My first friend in this body was John Keogh, and through him I became acquainted with all the leaders, as Richard M'Cormack, John Sweetman, Edward Byrne, Thomas Brangnall, in short the whole sub-committee, and most of the active members of the general committee. The volunteers of Belfast, of the first or ‘green’ company, were pleased, in consequence of my pamphlet, to elect me an honorary member of their corps.” He adds, “I was also invited to spend a few days in Belfast in order to assist in framing the first club of United Irishmen.” Mr Tone makes it quite apparent that the Society of United Irishmen was various in the materials of which it was composed, and was headed by men of republican principles; that it branched out with surprising rapidity; and that though its ostensible requisitions and complaints were just and allowable, the sentiments expressed, and the arguments put forth, breathe the spirit of the leading men. This is the main point which the memoir illustrates, and we must for a moment pause to consider it. There was not only at this time a great prevalence of republican



opinions and feelings in the north, and through the volunteers spread through the whole kingdom, where there was intelligence enough for their reception : but there were also the long tradition of insurrection in the people, and the military instincts thus derived. Armed conspiracies were the fertile growth of the soil. The Whiteboy oath of '63 affords a good specimen. Secrecy, preparedness to take up arms at the first summons, fidelity to each other, and military obedience formed the purport of it ; but especially it shows the instrumentality of persons of education, and a purpose not fully disclosed to the rank and file of the conspiracy. The same characteristics may be traced in all similar associations, although arising under different names. In Tone's time, republicanism had entered so much into the educated classes that language could be used without exposing them to danger which in other times would have been impossible. Reform was a pretext, and the question of Roman Catholic emancipation was another, for meetings, associations, and the gradual working up of popular excitement. There was nothing but its republicanism to recommend Tone's pamphlet. It said what was widely felt, but what few had the courage to say. He went so far as by many to be reproved for his indiscretion. He mentions being remonstrated with by a Whig barrister, the same who had before retained his services for the Ponsonbys, and his own account of this conference leads to the supposition that Mr Tone would have sold his support if his own terms had been complied with.

We may here briefly state the constitution and general objects of the association of the United Irishmen. It was to have the secrecy and somewhat of the ceremonial of freemasonry. The main instrumentality of the association was to be publications. As it was the object to unite all parties, the oath regarded those ostensible objects which revealed nothing. It pledged to union in pursuit of reform ; this was the great pretext well kept up throughout, nearly to the time when all being discovered, it became their apology. Their constitution, according to Dr Macnevin, was the following :—it consisted of societies at first composed of thirty-six members ; afterwards they were reduced to twelve. Each society of twelve chose a secretary and generally a treasurer. The secretaries of five societies formed a lower baronial committee, and out of each of these one person was chosen to be a member of the upper baronial committee ; it consisted of twelve members. In populous towns there were district committees, and in counties, county committees composed by choosing one member from each baronial. Next above these were the provincial committees composed of two and sometimes three from each committee. The provincial committees elected five persons by ballot ; the secretary examined the ballots and reported to the persons elected their appointment, but made no report to the provincials, who were thus ignorant of the persons composing the executive. The rest describes the method of communication downwards from step to step through these several ranks. Macnevin states this organisation to have been originally civil, but to have become military in Ulster about the end of 1796, and afterwards everywhere else ; and then the real object before confined to the initiated, became openly professed throughout the body. This was of course to effect a revolution and establish a republic. The great design was to

guard from treachery. There could have been no dread of this had the real object been the ostensible one of reform. Such a confederacy weaving itself over the kingdom for six years could not fail to excite terror. The Government took a well-founded alarm; and all those who were opposed to or terrified by these proceedings, took steps which Mr Tone does not hesitate to characterise in the strongest terms. It was then, as always, the impudent claim of such men that their pretences were all to be taken and their stage whispers of revolution not be understood. Admissions like the following, however, are not to be misunderstood. Twelve members of the association subscribed £25 each in order to set on foot a paper, "The Northern Star," with the object of giving a fair statement of all that passed in France,—the principal doctrine to be inculcated as the result to erect Ireland into a republic. The loyal party, however, spread through Ireland, and in the focus of these plans was to remain in ostrich-like ignorance. The Government was to stand blindfolded. The commemoration of the taking of the Bastille gave rather an unequivocal sign of the tendency of the time. But the utter indiscretion of Mr Tone's party, and their total absence of political reserve frees us from the necessity of searching far for proofs. Mr Tone's book is an amusing mixture of attacks upon the authorities for their suspicions, with passages amply justifying them.

"August 1, 1792, busy folding papers for the Munster bishops. Damn all bishops! Gog not quite well on that point. Thinks them a good thing. Nonsense. Dined with Neilson and MacCracken, very pleasant. Rights of Man, French Revolution, no bishops, etc." The bishops here mentioned, we may observe, are those of the Roman church. Gog was their name for Mr Keogh, a Roman Catholic, and sincere in his religion, though evidently a democrat. He is mentioned by those who knew the times well, to have been the ablest and best of the set to which he belonged. On the 9th of August, Mr Tone finds reasons to relax in his antipathy to bishops, as his journal for that day runs,—“Dined with Dr Reilly the primate, Plunket, bishop of Meath, Reilly, bishop of Clogher, Cruise, bishop of Ardagh, to the number of eight bishops, all very pleasant sensible men. Dr Plunket, the first; I think he would be a credit to any situation; all well on the Catholic question. The matter as to the north now settled. More and more admire Dr Plunket. Glad to find the Catholic prelates men of such manners and understanding. *Beau jour*, all very civil to me and complimentary about Vindex, and refused to drink Lord Hillsborough, etc.” Several of his entries in this interval plainly indicate the perfect notoriety of the proceedings of Mr Tone and his party. A strong sense of alarm and indignation was of course excited in the loyal population of the north, and Mr Tone and his friends are met with insults and were menaced with dangers which he thus stigmatises: “Horrible things these religious discords, which are certainly fomented by the aristocrats of this country.” A few days after, a public meeting is held to receive from Mr Tone an account of the present state of the Catholics, and he enters in his diary,—“The Catholics offer to find soldiers if Belfast will provide officers.” The question is not here about the loyalty of the Roman Catholics; it is simply that it is made evident every means

was set in motion to corrupt them, and not without considerable success. Without casting reproach, there can be no doubt that this heaven working not secretly among the Roman Catholics, explains if it does not justify (as indeed nothing can) the violent explosion of Protestant terror, in which the followers of the other religion suffered so severe a persecution. It must be admitted that such proceedings were not merely calculated to awaken abhorrence, but considering the times, the state of Europe, and the universal fears of that day, that they gave ground for just alarm. If there was any degree of delusion, and if the indications Mr Tone and his party gave were a little overrated as to extent and consequence, there was no means by which the public could measure the force of an approaching storm. The leaders of the United Irishmen were no doubt the real originators of the sufferings of the Roman Catholic population. Mr Tone mentions a conference with the Marquis of Downshire and Lord Hillsborough, and seems to applaud his own part in it. Seeming to forget the previous revelations in which he takes the reader into his confidence, it is amusing to read his simple candour of falsehood and misrepresentation, which produced not the slightest effect on Lord Hillsborough. Indeed, the kind of reeling inconsistency in this diary is entirely unaccountable, except for the little memorandum that sometimes closes the entry, "generally drunk." Mr Tone's power of shaping his statement to his hearer imposed on many not likely to be deceived. Mr Grattan's connection with the leaders of this party was, on this account, liable to be mistaken. It is plain, however, that Tone was not deceived as to the objects of himself and his associates. The "generally drunk" revelations of the evenings counteracted the boasted discretion of his mornings, and the triumphs of low cunning over which he frequently chuckles. His communicativeness under these inspirations frequently reminds the reader of Stephano's "Open your other mouth, . . . cat, open your mouth." Of course it must be remembered that we are indebted for the diary to the curious inadvertence of his son; but yet, diaries are seldom written without a half conscious design of being confessions to the future.

It may be remarked, that among the underhand workings of the United Irishmen, one was directed to lead the Roman Catholics to put forward their claims in a manner most likely to lead to their rejection. With this view they were induced to assume a far more exacting and peremptory tone, at the very time when unjust suspicions of them filled the minds of men, and even influenced the acts of Government. The appeal to force was hinted; the amount of their demands augmented, and this policy, which was at variance with the real feelings of the Roman Catholic body, was in fact insidiously imparted for the purpose of drawing them into the confederacy. This was proved by the examinations of Emmett, Macnevin, etc., in 1798; but the plainest evidence was the disappointment shown when the Government suddenly yielded a larger measure of relief than had been hoped for by the most sanguine in April 1793. Mr Tone's comment is that every grievance had been remedied; every complaint redressed; but he proceeds, "the prayer of the petition was for general relief; the bill is not co-extensive with the prayer," and in various expressions he ill conceals his regret at the bill. It diminished the stock of discontent; and while

a formal consistency makes him speak with approval, yet the bile of dissatisfaction oozes unconsciously in every allusion. His language teems with admissions. In his eyes the consequence is a loss of public spirit. He looks on the gunpowder and militia acts and increase of the army as brought in under its cover, measures which were necessary to suppress a dangerous conspiracy. We must hasten, however, to the overt acts which soon removed all disguise. Mr Jackson, who was sent over from the French Government to sound the people of Ireland, was arrested on a charge of high treason. This arrest spread terror among the republicans. Tone was implicated by disclosures of a treacherous agent, employed by Jackson; for, as usual, he had been the least discreet, and had broadly offered to undertake a mission to France. Grattan, not aware that the other leaders were really as deep in the plot, advised them to cast him off; to their credit, this advice was not taken. Tone refused to conceal himself; it was impossible, however, that he should be allowed to brave the laws. The Government acted with a lenity which is explained by the fact that it was only the beginning of the struggle, and the animosity of party was not yet aroused; it was also accounted for by his having such powerful friends as the Honourable Marcus Beresford, the Honourable George Knox and Lord Kilwarden. An agreement was made between these gentlemen and the Government, that he should leave Ireland so soon as he could settle his private affairs. It was agreed that America should be his place of exile; and it was perhaps fortunate for him that this arrangement was entered into so soon, for on the trial of Jackson, who was convicted and executed for high treason, a paper was discovered which Tone had drawn up for the French Directory, which would undoubtedly have hanged him. On his arrival in America he immediately laid down as clear that he was free from any obligation to the Government which had granted him the life and liberty he had justly forfeited. His sense of honour and gratitude had been overrated strangely, for he was allowed to go without any pledge that he would not use his liberty for the purposes of treason. It was enough for him, as he stated to everyone, to have fulfilled his promise of going to America. When this was done he was clearly at liberty for the work of vengeance. This, and the old love of buccaniering, were still the motives which he concealed under the specious cover of patriotism and the Rights of Man. In the meantime, men like Arthur O'Connor, Neilson, Napper Tandy, Keogh, and the Emmets, did not labour in vain to advance discontent, faction, and military organisation internally. Tone's work was henceforth to be from without. On his American adventures it is not necessary to dwell. Hamilton Rowan, who had escaped from prison, had got there before him. To this gentleman he applied for an introduction to Citizen Adet, the French ambassador at Philadelphia. He was well received, and at once communicated his plans respecting the possibility of an invasion of Ireland. During this negotiation he kept up a correspondence with his Irish accomplices, who liberally supplied him with money. He had also a small council of those members of the conspiracy who had been forced to fly from justice, and were now collected about him in the United States. Six months after his landing, he sailed for France, with such credentials



from Adet as were required to place him in communication with the authorities. Tone was enchanted with everything he saw there; the realisation of republican dreamings was too much for him. Tears ran down his cheeks as he saw Carnot present wreaths and standards to the soldiers, only to look at whom caused tears to gush into his eyes. He loved the French with all their faults, the guillotine at the head of them, a thousand times better than the English, no doubt recollecting that they had also their faults, including a gallows for traitors. The scene was indeed most congenial. A strange medley of levity and atrocity, of *bonhomie* and savage passions, flows most naturally through his pages. He presently finds his way to the levees of ministers and generals, who recognise in him a fitting tool for the ambition of young France. His self-importance and exultation here burst from him in the highest strains. "Nothing but ministers and *directoire executif*, and revolutionary memorials. Well, my friend Plunket (but I sincerely forgive him) and my friend Magee, whom I have not yet forgiven, would not speak to me in Ireland because I am a republican. Sink or swim, I stand on as high ground to-day as either of them. My venerable friend, old Captain Russel, had hopes of me in the worst of times. Huzza! I believe that wiser men, if they would speak the truth, would feel a little elevated in my situation." Among other most interesting traits of his elevation, in which we see glimpses of the naked heart, the reader will be amused by the following historical parallel:—"The devil puts it into my head sometimes that I am like Hannibal at the court of Prusias, supplicating his aid to enable Carthage to make war upon the Romans. There is a sort of analogy in the circumstances." One peculiarity of the negotiation in which he was now engaged, is the keen and sly regard with which he keeps sight of his own interests, and the active and earnest perseverance with which he pushes his suit. He obtained a commission of *Chef de Brigade*, and an advance of pay; and, after much delay, much dancing attendance on the republican functionaries, and a well described interview with Buonaparte himself, he had at last the satisfaction of seeing his patriotic wishes realised. The expedition to Bantry Bay followed, but by one of those interpositions of the winds which figure so importantly in English history, it was frustrated by a great storm within sight of its destination. At this point of his narrative, the journal of Mr Tone becomes very interesting; the particulars of the expedition are detailed with minute accuracy. The fleet is scattered; gales of wind and dense fogs succeed each other as if commissioned to protect the coast. The Frenchmen, discouraged by these incidents, exhibit a doubt as to the prudence of persevering which irritates the intensely wrought-up anxiety of Tone, who, with a considerable armament, had come within reach of vengeance. We are now able to see that the deliverance of his country was second to this feeling in his mind. He urged on the French commander that, although their undertaking was now hopeless, something should be done to save the honour of the republic. "I proposed to him to give me the *Legion des Francs*, a company of the *Artillerie Legere*, and as many officers as desired to become volunteers in the expedition, with what arms and stores remained, which are now reduced, by our separation, to four field-pieces, 20,000 fire-locks at

most, 1000 pounds of powder, and 3,000,000 of cartridges, and to land us in Sligo bay, and let us make the best of our way." In the event of failure he urges to the commander that "he knew what *kind of desperadoes it was composed of, and for what purpose*; consequently in the worst event, the republic would be well rid of them; finally, I added, that though I asked the command, it was on the supposition that none of the generals would risk their reputation on such a desperate enterprise." It is here quite plain that Tone projected simply placing himself at the head of a band of desperadoes, to burn, plunder, and murder. One amusing piece of naïveté occurs during this anxious moment, he expresses surprise at the *sang froid* with which he sees his country's coasts, on which he desired to land with his desperadoes, and speculates if he loves her the less for not having romantic feelings. But amidst the gloom of disappointment, there appeared a transient gleam of renewed hope to Tone and his companions. On the next day his ardour seems to have spread, and nothing but a speedy landing was thought of. He becomes quite delirious with triumph and delight, and has in the meantime worked himself into a dream of success. "Huzza! I apprehend we are this night 6000 of the most careless fellows in Europe; for everybody is in the most extravagant spirits on the eve of an enterprise, which considering our means, would make many people serious." His ardour is crossed, however, by painful images of the gallows. The thoughts of his family can be more easily dismissed than these inauspicious imaginings; "for my family I have, *by a desperate effort*, surmounted my natural feelings so far that I do not think of them at this moment." As to the expedition itself, after being "six days in Bantry Bay, within five hundred yards of the shore," and having their fleet scattered and reduced from forty-three to fourteen sail, it was settled to return to Brest, if they could escape the English. Tone having lost his hopes of fame and revenge, consoles himself that it is still possible to be happy in a humble way, and conjures up dreams of domestic felicity. It is nearly ludicrous under these circumstances how rapidly his changeful nature becomes invested with the cast-off feelings of parental and conjugal tenderness, and he straightway falls into new horrors about his separation from his wife and "darling babies." On the last day of the year 1796, he was once more on the way to Brest; where, after a highly tempestuous passage, during which he experienced some very alarming and disagreeable casualties, he arrived on the 1st of January, 1797. Shortly after his arrival, Mr Tone was transferred with the rank of adjutant-general, to the army of the Sambre and Meuse, under his friend General Clarke (Duc de Feltre). This interval was not of long duration, and is marked by no event. In the month of March we find him journalising in Paris, leading "the life of a dog." Not being quite a Frenchman, he felt deserted and alone, a condition from which his social temper revolted. He met Tom Paine, and of course fell down to worship before his wisdom, but had the sagacity to see that his idol was "vain beyond belief," and "he drinks like a fish." At this time it is observable from his journal that his spirits begin to fail him, habitual drunkenness being probably the cause; for, as he observes, when drawing a complacent parallel again, speaking of Paine's propensity, it "is a misfortune I have

known to befall other celebrated patriots." He began to find that "it is not good for man to be alone," and had a prospect of being soon reunited to his family whom he had left in America. They arrived safely in Paris, after surpassing considerable difficulties.

In 1798 accounts reached Tone of the arrest of several of his old friends and associates, but we must now pass to the last events of his life. The death of Hoche was considered to have put an end to the hope of an invasion of Ireland on a grand scale; for he alone possessed influence, together with strong zeal, to carry his views into effect. Napoleon, however, looked for good results from a diversion in the direction of Ireland, and in consequence the expedition was entrusted to inferior men. The want of funds delayed it; but news having arrived of a move in Ireland, it was determined that something should be done. Tone states that the most farcical ignorance was shown by those engaged in the preparations. He was, as usual, alert, urgent, and sagacious, and seems to have been successful in his exertions to set the managers right.

The plan at length decided on was to send small detachments to land in different places, and so spread and keep alive the rebellion. In pursuance of this scheme, a small expedition, consisting of a thousand men, first sailed from Rochelle, under General Humbert. Towards the end of August a landing was effected in Killala Bay, and the town stormed. Satisfied with this first fruit of French valour in Ireland, Humbert loitered enjoying the hospitality of the English bishop and drilling the peasantry. The report of General Lake's approach, however, roused him, and he advanced to meet the small force hastily detached to oppose him. They met at Castlebar, and Lake's detachment was defeated. Humbert's expedition, which had been precipitated by his own impatience, without awaiting the consent of the Directory, while it perplexed his government, hastened their movements, and the news of his success reaching them, gave added impulse to their preparations. But meanwhile the momentary success had been followed by the surrender of Humbert's small force at Ballinamuck, where it was surrounded by Lord Cornwallis's army. Matthew Tone and Teeling were taken and executed. The mass of the United Irishmen then in Paris followed in a small vessel, with Napper Tandy at their head. They landed on the north-west coast of Ireland, and finding the real state of affairs, they made their escape after sending out a few proclamations. The third party was commanded by General Hardy, with three thousand men. In this flotilla there were but four Irishmen, of whom one was Mr Tone. He was in the admiral's ship, the *Hoche*. Tone had little hope of success in this expedition, consisting of one 74 and eight frigates, which started so late as the 20th of September from the bay of Camaret. He resolved, if taken, never to suffer the indignity of a public execution. Suicide he considered, in such an event, to be no more than choosing the mode of his death. Admiral Bompert, to avoid the British fleet, and strike from a quarter whence a French force would be least expected, took a long sweep to the north-east in order to bear down on the northern coast. After being scattered by contrary winds, the expedition, reduced to the *Hoche* and three frigates, reached Lough Swilly after a course of

twenty days. On the 11th of October, at daybreak, the admiral saw an English fleet of six ships of the line and two frigates bearing down upon him. Nothing was to be expected from resistance, nor was there a chance of escape from the estuary in which they were enclosed. The tide had ebbcd, and at low water the great seventy-four gun vessel was like a whale in shallows; Bompard signalled to his frigates to attempt to escape, and a boat having come from the schooner for orders, he urged Tone to save himself. He refused; the case was one which admitted of no result but death or capture—death in either case to him; but his answer was, "Shall it be said that I fled while the French were fighting the battles of my country?" The Hoche was presently attacked by the Robust and Magnanime, and shortly after by the Amelia, while the other frigates tried to escape and were pursued; three remained with the admiral's ship, and took part in the battle. At half-past ten, after a gallant resistance, when masts, sails, rigging, and hull were shattered, and five feet of water in her hold, the Hoche struck; the three frigates that were with her were also captured; and of those that had separated, only one frigate and a schooner escaped with the intelligence of the destruction of the expedition.

Tone took an active part in the fight. He had charge of a battery, and exposed himself fearlessly to the British fire. He was not recognised among the other prisoners when taken, having completely acquired the appearance, language, and manner of a Frenchman. There had been, however, a suspicion that he was in the expedition, and as a matter of course, there was immediate inquiry. It so happened that the French officers were invited to breakfast with the Earl of Cavan, who was commander of the district. A gentleman of the party, Sir George Hill, who recognised Tone, informed Lord Cavan of the real character of his guest. Of course there was but one course; he was arrested, and sent to Dublin for trial. He was tried by court-martial, and his conduct before his judges was that of a brave and self-approving man. His talents, the continued trials through which he had passed, his high courage, his pride, the emergency of his situation,—all gave a sense of elevation to his mind, and dignity to his bearing. A belief in his own patriotism was strong, and he felt heroic in the prospect of death. The court-martial met on the 10th of November 1798. The trial was shortened by a full and free admission of "all the facts alleged." Mr Tone offered no defence; nor did he, as he might, since he bore no commission in the British army, impugn the jurisdiction of the court. He only asked to be allowed to read a paper in vindication of his motives and conduct. As this paper, however, instead of being an extenuation of his career, was found to be only a boast of it, he was stopped by the court on the humane ground that he was injuring instead of serving his cause. Mr Tone expressed his consciousness that his case was beyond pardon; but although the court was sensibly affected by the courage and calm resignation of the prisoner's manner and address, it was impossible to allow him to proceed. After a short silence, he asked if there was not usually a short interval between the sentence and execution. This question was not answered, as the report had, in the first instance, to be sent to the Lord-Lieutenant. When asked if he had anything more to say, he expressed



his desire to die as a soldier, and added, "I request that indulgence rather in consideration of the uniform which I bear—the uniform of a *chef-de-brigade* in the French army—than from any personal regard to myself." To attest this claim he gave in his commission. Two days after he was sentenced to be hanged in forty-eight hours. The justice of this sentence was nowhere complained of; but Mr Tone not being in the service of the crown, and Dublin not under military law, it was obvious that a court-martial had no jurisdiction. Yet the policy of the Government in preferring it to a civil tribunal was perfectly understood. While still the sparkling embers of a bloody rebellion, which Mr Tone and his associates had kindled, lay scattered through town and country, it was not considered prudent to make the King's Bench a rostrum for addresses calculated to blow them into renewed flame. There were still plenty of United Irishmen unhanged and untransported to raise another sanguinary rebellion; and it was considered necessary for the public safety, for the protection of which alone laws exist, to invade even the sanctuary of the law itself. Mr Tone's friends knew very well that a trial in the civil courts could only have the same result, but it was hoped to gain time for the French Government to interfere. With this view Mr Curran made a humane effort to interpose the authority of the Court of King's Bench. Having failed in raising a subscription to form a bar, he determined to proceed alone. On the day appointed for the execution he moved for a writ of *Habeas Corpus*. Such a motion could not be refused; and the Chief Justice, Lord Kilwarden, on the suggestion that the prisoner might die while the writ was preparing, ordered the sheriff to go to the barracks and see that the execution did not take place. The sheriff returned with the refusal of the provost-marshal to delay, and Mr Tone's father, who had been sent to serve the writ, also came back with General Craig's refusal to obey it. Lord Kilwarden then ordered the sheriff to take the body of Tone into custody, together with the provost-marshal and Major Sandys. But there was another actor on whose movements they had not calculated, and this was Mr Tone himself. On the night before, he had executed his pre-determined purpose of suicide, by cutting his throat with a penknife. This was the account next brought into court by the sheriff. The wound had been closed by a surgeon, who pronounced that four days must elapse before the result could be pronounced upon. It was on the morning of the 19th that decided symptoms of approaching death appeared. The surgeon whispered, that if he attempted to move or speak he must expire instantly. Mr Tone took the inadvertent hint. He made a slight movement, and spoke—"I can yet find words to thank you, Sir; it is the most welcome news you could give me. What should I wish to live for?" and with these words he expired.

JOHN FITZGIBBON, EARL OF CLARE.

BORN A.D. 1749.—DIED A.D. 1802.

THE father of the subject of our memoir was a barrister of considerable eminence, who is mentioned as having realised an income (enor-



moned by the sheriffs. Mr Fitzgibbon, then one of the most unpopular men in the kingdom, accompanied by only one or two friends, attended the meeting and forced his way through the mob, who had latterly been in the habit of offering personal insults to those whom they suspected of being averse to their measures; and getting upon the hustings, he interrupted a popular orator in the midst of his harangue. He then told the sheriffs that they had acted illegally in convening the meeting, commanded them to leave the chair, and threatened them with an information *ex officio* if they presumed to continue it. He then left the astonished and staring assembly amidst the hisses of the mob; and the sheriffs, overawed, instantly dissolved the meeting.

Mr Fitzgibbon appreciated at their proper value the hisses of a Dublin rabble, and displayed the strong masculine energy of character which the time and position he was placed in undoubtedly required. In the summer of 1789 Mr Fitzgibbon was promoted to the station of Lord Chancellor, and was the first native Irishman who had held this dignity. It was a difficult post at such a moment, and we are fully prepared to admit that, with all the over-severity and tyranny of the new chancellor, and with his inexcusable use of corruption afterwards, he was a most efficient instrument either to arouse or to quench a rebellion. He was at the same time raised to the peerage by the title of Baron Fitzgibbon of Lower Conelly. In his legal capacity he was remarkable for the promptitude of his decisions, a quality which may suggest crudeness of conclusion; but the only certain test—viz., appeals—shows that his judgments were not liable to this reproach. With respect to his action in repressing the rising sedition of the time, we may quote the testimony of one admirably qualified to speak,—we mean Mr Tone. He admits that his conduct of the Irish administration was judicious and able; he stigmatises Lord Clare as the adversary to republicanism, but he allows that nothing less than the means which he employed could have prevented it. The phrase used by Lord Castle-reagh in the examination of Dr McNevin is open to much question. There is no doubt that the Government did lay a train of revolution in order that what was certain to come some day might do so when they were fully prepared, and it could do little damage; but Dr McNevin admits that the organisation of the United Irishmen preceded the measures taken to make it explode; and this is as much justification as the policy admits of. To rouse a people to rebellion for any end—to do this great evil for whatever good in the result, is a course which admits of no apology.

In 1795 Fitzgibbon had been created Earl of Clare; and in 1799 his merit in safely guiding the ship of state through the stormy time of the rebellion was rewarded by a peerage of the United Kingdom, to which he was raised by the title of Lord Fitzgibbon of Sudbury. The story of the suppression of the rebellion is part of the biography of Lord Clare, as the biography of the rebel leaders is a history of the rebellion's rise and progress. We shall therefore briefly show how the Lord Chancellor, who was in fact the executive of Ireland, partly by good fortune, partly by great firmness and thoroughness, overcame such a rebellion as cannot well occur in Ireland again.

Telegraphs, railways, and the increased superiority of military over

mobs, now make effectual insurrection of an unmilitary people impossible, and the external dangers of England in that day which chiefly menaced her through Ireland, though they might and no doubt will menace her again, could scarcely present themselves in the same form. It was providential that about the time that the insurrection was ripe for an outbreak, two seizures were made which completely disclosed their plans,—one was made in Belfast in 1797; the papers then found showed the numbers of the enrolled to have been 72,206, and they also prepared Lord Clare for the destination of the French being Bantry. The other seizure was at the house of Oliver Bond, and in the papers there found was a complete account of the projected attacks and operations of the rebels in Dublin, Wicklow, and Kildare. After a partial rising in the county of Down, which was easily quelled, it was towards the end of May that the insurrection broke out over the whole country. A number of small and detached encounters occurred in the counties of Dublin, Wicklow, Kildare, and Meath. In nearly all of these the rebels suffered severely, and were dispersed by the small bodies of yeomanry and militia, which it was the wise policy of the Government, considering the sort of foes they had to contend with, to leave scattered over the whole country for the protection of the loyal inhabitants. In the battle of Tara, as it has been called, many thousands of rebels were encamped on that historic site to which they had collected the plunder of the whole country round. On being attacked by a small body of yeomanry and fencibles, under Mr Preston, afterwards for that action created Lord Tara, after the manner of all barbarian forces, they charged down the hill with the roar and weight of a billow charging upon the shore; and like it, too, they retreated from each attack leaving a drift of dead behind them. In this, as in other engagements, the rebels submitted to the most heavy losses before giving up the day; while, on the other hand, the losses of the military and loyal forces were seldom more than nominal. It is difficult to believe the accounts handed down to us of pitched battles in which the rebel dead were counted by hundreds, and the loss on the other side was sometimes represented as *nil*; it may have been considered expedient to hide the real casualties. In Wexford, the most important engagements took place, and the rebellion was far better commanded and more determined there than in other places. The most memorable scenes were the assaults on Enniscorthy and New Ross, the taking of Wexford and the battle of Vinegar Hill. At Enniscorthy a small body of 300 yeomanry and volunteers defended the town successfully against many thousand rebels from without and the treachery of other enemies within, who set the town on fire in their midst. The attack was most determined and recklessly brave; the rebels pressed on over heaps of dead which grew into barricades, and their fallen many times exceeded the number of the defenders of the town. At last, the loyal forces, after losing one-third of their number and repulsing the assaults of the rebel army, were obliged to retreat upon Wexford. That town was soon after occupied by the rebels, and the most frightful atrocities practised on the loyal inhabitants. Those of them who had taken refuge in the shipping, were compelled to land, and the greater part of the Protestant inhabitants, after a mock trial, were put to death



with horrible tortures on the bridge. There is scarcely any parallel in history for the atrocities at Wexford but the massacre of Cawnpore. It is historically just to say, however, that it was in spite of the efforts of the principal leaders, and only when they had left the town to strengthen the camp at Vinegar Hill. It must also be said that almost every man in the rebel army had a burning memory of acts of torture perpetrated on his relatives and friends; and that this was not a spontaneous burst of devilry, but the terrible vengeance of a rude peasantry. We do not of course accuse Lord Clare of having countenanced the extermination which the yeomanry and their leaders seemed to have in view. On the contrary, though he was willing to screen and indemnify magisterial and military criminals, he was undoubtedly a man of personal humanity. This was illustrated in the case of Lord Edward Fitzgerald and the escape of Hamilton Rowan.

An attack was made by the rebels in great force on New Ross: after gaining some advantage, and keeping up the battle with considerable bravery for ten hours, they were defeated by General Johnson's forces; the loss on the insurgent side was 2500 left dead on the field; the military had nearly 200 in killed and wounded, including Colonel Lord Mountjoy, who was among the slain. It was in their rage at this defeat that a number of hostages were burned in a barn at a place called Scullabogue. Bagenal Harvey, the rebel general, a man of high family and position in the county of Wexford, resigned his command in consequence of this atrocity. Shortly after, Vinegar Hill, the principal stronghold of the insurgents, was attacked by the king's forces under General Lake; there was a great slaughter of the former and considerable loss on the side of the military; but the main body of the rebels managed to escape, owing to the investment of their position being left incomplete by General Needham's coming up too late; this was shortly followed by the surrender of the rebels at Wexford. On the day before Wexford was retaken by Sir John Moore, and the battle of Vinegar Hill won by Lake, Lord Cornwallis arrived in Dublin as viceroy. A difference had arisen between Lord Camden and Sir Ralph Abercromby, the commander of the forces, who objected to the ferocity with which the rebellion was being crushed. In consequence of this, the general resigned, and it was considered advisable that a great military viceroy should be appointed, who should act as dictator at this crisis when divided counsels might prove fatal. Lord Cornwallis, finding that although the insurrection still lingered, it was no longer a struggle of hope but one of despair, wisely and humanely considered that the proclamation of a general amnesty was the best way of ending it; but this idea was intolerable to those who, having been engaged in the contest, were naturally exasperated, and desired not only the restoration of peace, but vengeance and stern example. The new viceroy found the whole of the official body and Government supporters against his wishes, and was obliged to suppress his proclamation. To Lord Clare's honour, he was almost the only one who concurred in the Lord-lieutenant's proposal. The rebellion was stamped out with great severity, and its suppression was followed by trials and executions which can scarcely be justified except on the ground of the most undoubted necessity, and that could not have existed when rebellion was crushed.

On the whole, however, a more humane order of things commenced; the people began to return to their homes; bands of desperate men, headed by ringleaders of the insurrection who had no hope of mercy, still made their way from county to county, or took refuge in the mountains of Wicklow, but the general population was thoroughly cowed. Lord Clare's threat that he would make the people "as tame as domestic cats" was carried out for the time. His Lordship was a political surgeon, desperately fond of the knife, and there never was a man who could deal more thoroughly with a rebellion. Perhaps the fact of his family having been of the Roman Catholic religion, from which his father emerged for the purpose of being called to the bar, gave him a more hearty detestation of "Popery" than is usual amongst educated men; and except in a born Irishman, the same disregard of the life of mere Irish peasantry would scarcely have been possible. The first Irish Chancellor justified his birth in this respect. Lord Cornwallis, accustomed to the bloodshed of war, felt the horrors of Irish Government and acts for which it made him in some degree responsible to his conscience, and to the utmost of his power endeavoured to check them; but when the bloodthirsty party became dominant, and compelled his resignation, he was glad to escape from the injustice and cruelty perpetrated with his knowledge. Lord Clare, on the other hand, felt perfectly satisfied, and considered himself, and in reality was, a most humane, merciful, and upright man. There can be no doubt that the calling out of the yeomanry, which was done by Lord Clare's advice, was a measure sure to lead to terrible consequences. A rebellion ought to be put down by the military, and in a country possessing a standing army, should be distinguishable from civil war. Lord Clare converted it into civil war by arming the loyal population against the disloyal, the Protestant against the Roman Catholic. When neighbours take up arms against each other, atrocities are sure to be committed on both sides, which embitter and extend the struggle; what as a rebellion might have been put down with ease and without permanently dividing the country, as a civil war grows into a desperate and general struggle, and the restoration of peace, for generations, means only a truce. This is actually the case in Ireland to the present day, and it dates from Lord Clare's calling out the yeomanry in '98 to overthrow the rebellion. In the county of Wexford, where the rebels made the great and most nearly successful struggle, we shall show in future memoirs that the rebellion owed its dimensions to the atrocities of the yeomen. A troop of these warriors sometimes made an expedition which would do credit to the most savage tribe of North American Indians; their war trail was marked by mutilated corpses and burning villages. As they rode past cottages they called the people to their doors and shot them; of course, the people of that part of the country immediately rose *en masse*, in some instances headed by their Roman Catholic pastors, armed with whatever weapons their rage could find, and joined the rebellion. Reading the history of the rebellion of 1798 in the light of the Fenian insurrection, we at once see the connection between the difference of treatment and the difference of result.

Before leaving the subject of the rebellion we must notice Lord Clare's conduct with regard to several of the rebel leaders, upon whom,

as being gentlemen, and in the same sphere as himself, he displayed the humanity of which he was really possessed. His inhumanity arose from having no sympathy with the peasantry, not in fact feeling their humanity, looking upon them as Englishmen abroad have generally looked upon Blacks and Hindoos; but to those whom he could regard as his fellow-men, he showed himself a different being. It was said that Henry Sheares had crossed Lord Clare in love with a Miss Swete, to whom he was deeply attached, and who was won by the young United Irishman. John and Henry Sheares were barristers, and had highly distinguished themselves in the University of Dublin, having become prominent leaders of the disaffected party and writers in the "Press" newspaper; they fell under the public censure of Lord Clare, who was most unmeasured in his language on such occasions; and the consequence was, that letters passed which must have greatly incensed the angry temper of the Chancellor. Notwithstanding this, at the Limerick assizes, just before the outbreak of 1798, Lord Clare sent for the brothers with the object of dissuading them from taking part in it. The interview was private, and what passed was unknown, but this was no doubt the humane and gentle object of the Lord Chancellor in desiring the meeting. His persuasions were unfortunately unsuccessful, the young men came out flushed and angry, and perhaps Lord Clare was too haughty and petulant to be a good mentor. In the case of Lord Edward Fitzgerald, to which allusion has already been made, he made the same endeavour to separate him from the rebellion. He was informed of every step taken by the United Irishmen, and warned Lord Edward's friends of his danger, advising them to persuade him to leave the country for a while. Unfortunately, he was not more successful than with the brothers Sheares. When the unfortunate young nobleman lay dying, and his relatives, by the decision of the council, were refused admission to him, Lord Clare was the one to yield to Lady Louisa Connolly's entreaties, and he accompanied her to the prison at night, waiting for three hours in an antechamber while the aunt and nephew were together for the last time. Lord Clare's kindness to Hamilton Rowan's family was very great, and there is some reason for thinking that his escape was favoured. It was probably his influence that obtained leave for Tone and others to leave the country; and with respect to the ring-leaders and their followers, he exactly reversed the policy that modern statesmen have followed—pitiless to the many, merciful to the few. In consequence of the disaffection that prevailed in the University, a visitation was held by the Lord Chancellor, with Dr Duigenan for his assessor. The students were called up separately to take an oath that they would discover all matters as to which they were questioned. On the first day about fifty were contumacious and were marked for expulsion. Two of the fellows also fell into trouble; Dr Browne, a senior fellow, for disclosing to the students assembled outside that he had voted against the expulsion of two of their number, for which indiscretion Lord Clare was inclined to expel him; the other was Dr Stokes, a name honourably distinguished in Dublin and its University. He had been mixed up with the United Irishmen in the commencement, but showed that he had taken a loyal part when they left their first design. On the second day of the visitation the Lord Chancellor

threw off some of the sternness of the judge and assumed a more parental tone to the students, desiring them, as in confession, (his lordship did not draw the analogy) not to consider themselves bound to accuse others by name, but only to witness against themselves. Many of those who at first refused did then take the oath, and the existence of four committees of United Irishmen within the walls of the University was acknowledged. The secretaries were Robert Emmett, McLaughlan, Flynn, and Corbett junior. The result of the visitation was that nineteen students were expelled, and Dr Stokes, for his former connection with the conspiracy, was suspended for three years. In these proceedings the tyrannical character of Lord Clare was displayed, along with a certain consideration and humanity for offenders of his own class. His acts of tyranny, which were often very gratuitous, and committed more from the necessity of his nature than for any purpose, made him many bitter enemies, and procured him more abuse than perhaps any man before or since has sustained; for Ireland is the most abusive of countries, and Lord Clare was the most abused of Irishmen. On one occasion the mob broke into his residence in Ely Place, and his life was only saved by the courage of a lady of his family, who, mingling with the crowd, led them to believe that he was in another place. During Lord Edward Fitzgerald's imprisonment, when he was summoned to the council in haste, an abusive mob outside poured showers of curses and bad language upon him. The Lord Chancellor rushed to the door in a fury, and gave back curses and abuse in a way that amazed the crowd; and going with Lord Westmeath into a shop, came out armed with pistols, and forced his way defiantly through the crowd of people to the Council Chamber.

The time had now come for the Union to be broached, and Pitt's Government found in Lord Clare a hearty supporter. He had risen too high to be bought; he was perhaps one of the very few Irishmen who honestly supported the measure. His contempt for the people of Ireland made him really wish to complete her subjugation to England in the most thorough and lasting manner; it had been done already by armed force, but that might have to be done repeatedly; a moral subjugation, a loss of individuality and educated public opinion, and a reduction in this respect to the provincial level, he saw was absolutely required in the interests of English Government. To remove all the talent, and rank, and influence of the kingdom, all that gave Ireland a voice, to England, and leave only the dead level of a crushed people behind, that remained to be done, and that he was heartily willing to do. "The greatest enemy that Ireland ever had" was what Barrington called him; and without implying that he was not a good and conscientious man, this description was just. On February 7, 1800, Lord Clare delivered the message in favour of legislative union. His speech made a voluminous pamphlet. It dwelt on all that was darkest in Irish history, abused the Roman Catholics, and represented the union as a panacea. His speech, which was very able, and the energetic use of all the influence he possessed; and such strong tyrannical men always will possess considerable influence with the human average,—earned him the most cordial thanks of the Government. Lord Cornwallis moderated his fiery temper and used his intense energy



and purpose. Determined strength of will was Lord Clare's most valuable gift. After the union was carried, the Chancellor turned his attention to law reform. The office of Master of the Rolls was made a *bona fide* one, it having been previously a sinecure, and Sir M. Smith was appointed Master. This enabled Lord Clare to absent himself and take his seat in the English House of Lords. There he did not appear to much advantage; the temperature was so different, so much colder, calmer, fairer, and less passionate than anything that this Irish dictator had ever experienced. He took every opportunity of denouncing the Roman Catholics like a bigot, and this pleased neither the House nor the ministry. "The strange corruptions of the Romish church, and the impure practices under it, the tyrannous authority and domination of the See of Rome, and the gross imposition it laid on the minds of men," was some of his convincing and temperate language. Not only in parliament, but with the Government of Ireland, he showed his hatred of the Roman Catholics. He wished to change the constitution of Maynooth, and to revive some of the penal laws. This was very displeasing to the Government, who had used the Roman Catholics to carry the Union, and whether thoroughly sincere or not in the promises by which that indispensable help had been procured, did not wish it to appear that they were guilty of such violent hostility towards the party they had just seduced. Such a feeling is natural, but not the less disgusting, for being usually entertained by seducers. Lord Hardwicke, Lord-lieutenant at the time, thus wrote :—"Whether Lord Clare has taken the part he has from spleen or dislike to the Government, or from a conviction that it was right to do so, I cannot pretend to determine; but so far I must observe that his bringing the Maynooth case to public notice, at this time, and in this particular manner, is very inconsistent with the concurrence he expressed in our first conversation with the general opinion of the inexpediency of agitating at the present moment any points connected with the Catholic question. It would be very curious if, after all, Lord Clare should be attempting to acquire popularity with the Catholics at the expense of the Government. He seems to me, with a good deal of cleverness and vivacity, to be very deficient in consistency and precision in his ideas."\* The Lord-lieutenant proceeds to show that the Chancellor's proposal to mix lay with clerical education at Maynooth would defeat its object by withdrawing the Roman laity from Dublin University, and would greatly tend, also, to make their education monastic. This letter shows curiously the distrust which, with all his thoroughness, Lord Clare inspired in some of his friends. "That little man would sell his country to-morrow," said Ponsonby, long before, when Fitzgibbon, after declaiming against the project of the union, and declaring that he at all events would never be induced by any consideration to support it, had left the room. And yet that he supported it conscientiously, and that it was his natural role to act as a supporter of it, we do not doubt. His political nature had not developed at the time; much that moulded it had not happened; and he was speaking on the keynote of his company.

\* Confidential Letter to Addington.—Cornwallis Correspondence, vol. iii. p. 265.

Lord Clare died in January 1802, after a short illness, at the age of fifty-four. He had done all the mischief, if mischief it was, that he could have done had he lived to a hundred. It would not, as we have shown, be true to say that he manufactured a rebellion in order to have an opportunity of striking his country down, for, as he argued not unjustly in parliament, the government he belonged to had done everything that lay in its power to assume the character of, and conduct itself as, a Government of conciliation. It had by a Roman Catholic Relief Act endeavoured to conciliate that portion of the people which, by the recall of Fitzwilliam, had been thrown into an attitude unexampled for a hundred years, but it is equally true that when conclusions failed and rebellion was inevitable, it was Lord Clare's policy that made the outbreak so serious as it became; and it is impossible to doubt that it was his deliberate intention to prevent insurrection from being the mere playing at soldiers that it became in the days of the Fenians, to show the people of Ireland once for all that it is a very terrible affair, and to make it sufficiently bloody to be a long warning. For this purpose he did not check the acts of the yeomen, ancient Britons, and German mercenaries, and there is no doubt that wherever a collision occurred, the wish of the Government was that the rebels should be severely punished. In acting as the great champion of the Union, and assisting both in the creation and delivery of the bill, he destroyed all that was good in Irish nationality, and left it to become the pitiful thing it is at the present day. Such was his public career; all that was good and amiable in the man was kept for the privacy of home. His religion was sincere; a biographer\* states on the authority of the American writer Hawthorne, that when he received the sacrament it was at an obscure country church to which he went alone to escape notice; but it was of the ultra Protestant, that is, of the ancient Jewish or Mahommedan type, a religion of exclusion and a religion of violence and hatred. It was meant for, but it was not, Christianity. He was equally firm in his friendships and his enmities, he was capable of acts of great kindness, and he was at the same time precise and profuse in his expenditure. The testimony of Archbishop Magee in the sermon preached at his funeral is worth quoting:—"As to his private life, it is well known that the same steadiness which sustained his public conduct governed his personal attachment. His friendships were sincere and fixed; and although in a character marked by such strength of features, the lineaments of the softer virtues could scarcely be expected to mix; yet they who knew him in the unbendings of his retirement, have often witnessed the genuine indication of their existence, and can fully attest the spontaneous and animated emotions of a latent tenderness, which it seemed as much his study carefully to conceal, as in this age of affected sensibility it is that of others to display. In this, indeed, as in other parts of his conduct, it is to be lamented that an habitual disgust against all hypocritical appearances had so far wrought upon his mind as to render him generally anxious to suppress, lest he might be supposed to affect, feelings and qualities the most honourable and endearing. The occasions, however, have not been few in which, even to the public eye, the milder

\* Lives of the Lord Chancellors of Ireland, vol. iii. p. 280.

virtues of his nature broke through this restraint, and if the charities of domestic life be received as evidence of the kindly disposition of the heart, perhaps in no case can such proofs be adduced more abundant and convincing. In all matters of pecuniary concern, his dealings were directed by a strict and punctual regard to his engagements; and at the same time distinguished by a liberality which, without indulging in those excesses which beget embarrassment and sacrifice independence, manifestly evinced a mind aloof from the sordid love of accumulation. In him, indeed, honesty and liberality can scarcely be said to have claimed the rank of virtues. They required no effort and could boast no triumph, when a rooted contempt of wealth precluded all means of their counteraction. And it deserves to be remarked, that amongst the numerous calumnies which a vindictive malice has endeavoured to cast upon the fame of this distinguished person, the tongue of slander has never whispered the imputation of a single act of mercenary meanness." But while those words of eulogy were being spoken from the pulpit by the Archbishop of Dublin, they were strangely accompanied by the hootings of the Dublin mob outside St Peter's church. Curses loud and deep, yelling and shrieking, almost drowned the eloquence of the prelate. Numbers made their way into the church itself and created disturbance, being with difficulty restrained from heaping mud and filth upon the coffin. From the face of its occupant, had he been alive, they would have fled; it was an ignoble and cowardly revenge after all. One man flung a dead cat on the coffin, in allusion to Lord Clare's threat that "he would make the people like tame cats."

Such was the public funeral that the citizens of Dublin gave the Earl of Clare, their detested and terrible chancellor. The title is now extinct, the last of the line, Viscount Fitzgibbon, having fallen in the famous charge of the light brigade at Balaklava.

#### JOHN PHILPOT CURRAN.

BORN A.D. 1750—DIED A.D. 1817.

JOHN PHILPOT CURRAN was born in the summer of 1750, his father being seneschal of the Manor Court at Newmarket, in the county of Cork. His mother, from whom he derived his second name and all his talents, was a woman of considerable culture and attainment. Even as a child, Curran's ability was so striking, that the clergyman of the parish, the Rev. Nathaniel Boyse, undertook his preliminary education, it seems, gratuitously. His rapid progress justified the good opinion and care of friends, and induced his parents to determine on sending him to the university. His first destination was the church. After a while he was removed to the free school of Middleton, where he was received for £10 a-year; and in 1769 he entered the university of Dublin as a sizar. His obtaining a sizarship was a proof that his time had not been thrown away at school, and his afterwards gaining a scholarship in classics, and commencing to read for a fellowship, showed that it was well employed in the greater freedom of the university,



*John Brown*





where many a studious and clever boy becomes an idle young man. Withal, however, that he did not neglect his studies, he was seldom missing in the youthful freak, for which, until the last generation, the students of "Old Trinity" were renowned. He was, it may be inferred, often in great perplexity for the want of money, but he bore all with steady courage and unshaken good humour. He is said to have been much given to metaphysical inquiries and discussions, and to have often conversed on the nature of death, eternity, and the immortality of the soul—topics which offer themselves first to the curiosity of youth before the mind has learned the narrowness of its range, and the vastitude and obscurity of such subjects. In his second year an incident happened to him which showed the resources of his wit and reason, so as to call forth the applause of his fellow-students, and awaken his ambition. In consequence, it was said, of this, he determined to go to the bar instead of entering the church. He had obtained the reputation of wit, with its usual accompaniment of wildness and extravagance. His college compositions in prose and verse have considerable sparkle and more finish of composition than might be expected in a juvenile essayist. Having completed his college course, Mr Curran proceeded to serve his terms in the Middle Temple in 1773. From London his letters give a tolerable account of his feelings and occupations. We cannot omit an incident, trifling in itself, but significant as being the beginning of his oratorical career. He was in the habit of frequenting a debating society, in which, though he felt the native impulse, he could not muster the nerve for a trial of his own powers of speech; he was in some measure discouraged by a "precipitation and confusion of utterance" (perhaps the result of the eagerness that is apt to outrun the tongue), which had obtained for him among his school-fellows the *sobriquet* of "Stuttering Jack Curran." So great was this defect, that he was advised to devote himself to the silent duties of a chamber counsel. Curran must, of course, have felt the consciousness which never fails to accompany a power so strenuous and kindling as that of the orator; and aware of where his difficulty lay, he determined to overcome it. His first attempt was, as may well be supposed, a failure. He stood up filled with nervous anxiety, and thinking more of the eyes and ears of which he was the centre than of the subject of debate; and in this state the mind refused its office; he got no further than "Mr Chairman;" his friends cried "Hear, hear;" but, as he afterwards told the story, "there was nothing to hear." After this unlucky beginning, some time passed before he could summon up courage to venture on a second trial. An opportunity at last arrived. It was under the agreeable influence of a remittance from Newmarket, and having had an additional glass of punch in honour of it, he repaired with his friend Apjohn to the "Devils," where there was already an orator on his legs, "just such a person," according to Mr Curran's own account, "as Harry Flood would have called 'the highly-gifted gentleman with the dirty cravat and greasy pantaloons!'" I found this learned person in the act of calumniating chronology by the most preposterous anachronisms, &c. He descanted on Demosthenes the glory of the Roman forum; spoke of Tully as the famous contemporary and rival of Cicero; and in the short space of half an hour transported the straits of Mara-

tion three several times to the plains of Thermopylæ. Thinking I had a right to know something of these matters, I looked at him with surprise; and whether it was the money in my pocket, or my classical chivalry, or, most probably, the supplemental tumbler of punch that gave my face a smirk of saucy confidence, when our eyes met there was something like a wager of battle in mine; upon which the erudite gentleman instantly changed his invective against antiquity into an invective against me, and concluded with a few words of friendly counsel to 'Orator Mum,' who, he doubted not, possessed wonderful talents for eloquence, although he would recommend him to show it off in future by some more popular method than his silence." Mr Curran followed the seasonable advice, for which he repaid his adviser, "the dirty cravated orator, in such a sort, that it was agreed by most persons present that they never 'saw him so well dressed.'" So decided was his success, that the chairman despatched his secretary to invite the "eloquent stranger" to sup with him. After this seemingly trivial, but perhaps really important incident, Curran became a constant speaker at debating clubs, where he acquired the fluency, and, what is more important, the confidence which in public speaking is more than half the battle. Both from his zeal in the cause of the Roman Catholics, as well as from his dress, he was generally supposed to be a young priest of that church, and was called in the club which he most usually frequented, "the little Jesuit from St Omer's." It appears from various sources that very high anticipations were already formed by his friends of his future success. His intellect was a light that could not be hid; in the most brilliant company it could not be outshone, and under the most depressing influences it found some chink by which to discover itself. We also learn that he was endeared among the circle of his friends and relations by his affectionate and unassuming deportment. Naturally joyous and social, there were times when he had fits of despondency. His circumstances accounted for this. The threadbare black clothes were the sign, not of Jesuitism, but of poverty: and even men of genius suffer from such causes as personal privations, and the prejudice created against them by poverty-stricken dress. The latter is supposed to designate bad morals, as well as a bad position in the world. In those, however, who know the truth, there is nothing that excites such a painful sympathy as the poverty of genius; and there was one at least of Curran's friends—Mr Hudson, a well-known dentist, afterwards his neighbour, and always his friend—who was most generously desirous of assisting him.

Of his studies we are told—and there is ample proof of it preserved—that his reading was patient and extensive. Through all his speeches we perceive an acquaintance with the best English writers, which was a very important source of his eloquence. Though apparently of spare and attenuated frame, he was patient of fatigue, and required little rest; and his constitution enabled him to pursue his studies with interest and constancy, while apparently devoted to convivial habits. Among those writers from whom he is supposed to have derived his earliest notions of style, were "Junius" and Lord Bolingbroke. The speech of Antony in Julius Cæsar was also a favourite study, and his recitation of it showed great skill and natural power of elocution. Of the classics,

Virgil was his favourite, and, next to him, Homer. A peculiar source of his ideas was his familiar acquaintance with the language and manners of the Irish peasantry. The deeply-imaginative tinge of Irish nature infused through the Irish language, and embodied in the very ignorance of this antique race, could not fail to be most apparent on a mind like Curran's, which, without being very deep, was most brilliantly reflective. "He used," his son records, "to say of himself that he derived his first notions of poetry and eloquence from the compositions of the hired women over the dead." His political sympathies were kindled at the same source—the feelings of the peasantry. Curran was called to the bar in 1775. His character went before him, and he rapidly obtained employment. As a proof of this it is mentioned that the first year produced eighty-two guineas, the second between one and two hundred, and so on in a regularly increasing proportion. This was far less than such men as the Earl of Clare started with, but for a man without connection, and with nothing to advance him but what he carried in his brains, it was for those days a very good progress indeed in beginning. The same nervousness which impeded his first effort in the debating society, returned in his *debut* at the bar, and, we should presume, in a manner more marked than usual. He had but to read a short sentence from his instructions, but he did it so precipitately and inaudibly, that the Chancellor, Lord Lifford, requested of him to repeat the words and raise his voice. The brief dropped from his hands, and a friend who sat near him was obliged to take it up and read the necessary passage. This nervous timidity disappeared when he had to repel an attack, as in the case I have mentioned when assailed in the debating society as "Orator Mum." In a case upon which he was employed shortly after his call, he remarked, on some statement of Judge Robinson's, that he had never met the law as laid down by his lordship in any book in his library. "That may be, Sir," said the judge; "but I suspect that your library is very small." Mr Curran replied, "I find it more instructive, my Lord, to study good works than to compose bad ones; my books may be few, but the title-pages give me the writer's names; my shelf is not disgraced by any such rank absurdities that their very authors are ashamed to own them." "Sir," said the judge, "you are forgetting the respect which you owe to the dignity of the judicial character." "Dignity!" said Curran, "my lord, upon that point I shall cite you a case from a book of some authority, with which you are, perhaps, not unacquainted." He then briefly recited the story of Strap in "Roderick Random," who, having stripped off his coat to fight, entrusted it to a bystander; when the battle was over, and he was well beaten, he turned to resume it, but the man had carried it off. Mr Curran thus applied the tale:—"So, my lord, when the person entrusted with the dignity of the judgment-seat lays it aside for a moment to enter into a disgraceful personal contest, it is in vain when he has been worsted in the encounter that he seeks to resume it; it is in vain that he tries to shelter himself behind an authority that he has abandoned." "If you say another word, Sir, I'll commit you," replied the angry judge; to which Mr Curran retorted, "If your lordship should do so, we should both have the consolation of reflecting that I am not the worst thing your lordship has committed." This is a sample of Mr



Curran's promptness and the bold spirit which in those rude and disorderly times was a strong recommendation at the Irish bar. Some years, nevertheless, elapsed before his real powers found an opportunity for their display. This occasion offered itself at the Cork assizes, in an action brought by a priest of the Roman Church against Lord Doneraile. We need not enter into the particulars; but Mr Curran acted with a spirit and humanity which won him the enthusiastic attachment of the lower orders, who thenceforth looked upon him as their champion. In the performance of his duty on this occasion, he had to cross-examine Mr St Leger, brother to the defender; and as it was his object to depreciate his evidence, he had described him in very gross and insulting language in his speech. In doing so, however, he had not mentioned his name. "When Mr St Leger came upon the table and took the Testament in his hand, the plaintiff's counsel, in a tone of affected respect, addressed him, saying, 'Oh, Mr St Leger, the jury will, I am sure, believe you without the ceremony of swearing you, your character will justify us from insisting on your oath.' The witness, deceived by this mild and complimentary language, replied with mingled surprise and irritation, 'I am happy, Sir, to see you have changed the opinion you entertained of me when you were describing me a while ago.' 'What, Sir? Then you confess it was a description of yourself! Gentlemen, act as you please; but I leave it to you to say, whether a thousand oaths can bind the conscience of the man I have just described.'" A duel followed in which Mr Curran evinced very great intrepidity; he was called upon to fire by his antagonist, to which he said jestingly, "No, Sir, I am here by your invitation, you must open the ball." And then, observing Mr St Leger's pistol to be directed wide of him, with singular promptness, he cried out "fire," Mr St Leger fired, and missed. This was a well known manœuvre of duelling. Mr Curran declined to return the fire, and so the affair terminated. This incident contributed materially to increase his practice, and originated his popularity among the lower orders of the Irish—a feeling which amounted to veneration. His genius and habits were so intensely national, that the people, overlooking accidental differences, justly looked upon him as one of themselves, and considered his successes as popular triumphs. This estimation of him was unchanged to the end.

The Order of St Patrick was founded by Lord Avonmore (Barry Yelverton), Curran's closest friend. It contained those who were most eminent for wit and popularity, and indeed nearly all the first public men of the time in Ireland. Among these, Curran was a principal member. One of the best of his poetical effusions was the charter song of the Order. Of his pathetic allusion after a lapse of many years to the recollections of this union, we have already taken notice in Lord Avonmore's memoir. Mr Curran had been seven years at the bar when he was returned as member for the borough of Kilbeggan by the interest of Mr Longfield, afterwards Lord Longueville. Having disagreed with his nominator's political opinions he shortly after insisted on purchasing a seat to be filled on Mr Longfield's nomination. It was about the same period that he obtained his silk gown. In 1785 Mr Curran had a quarrel with Mr Fitzgibbon, afterwards Lord Clare.

The debate in which it occurred, arose on a measure introduced by the latter, who was at the time Attorney General. While Mr Curran was speaking, Mr Fitzgibbon slept, or more likely pretended to sleep; on which Mr Curran let fall some strong personalities which were retorted with equal violence; Mr Curran replied, and the consequence was a hostile meeting. This, which ended harmlessly, did not remove the enmity which they retained towards each other through life. At this time Mr Curran had attained a full and lucrative practice at the bar. His life passed in a round of duties and occupations which demand no comment and offer little of detail. The point of view in which he always appears to most advantage, and in what we might call the most genuine character, is in such of his letters as have been published. These we regret are beyond our compass. A visit which he paid to France in 1787 affords some pleasing specimens. He was a nice and discriminating observer of all that was characteristic, and with his happy humour and power of language, never failed to transport the reader to the scene he was describing. He possessed a peculiar turn for practical wit, which occasionally gave rise to adventures that could not have been carried through by anyone but himself. Of this, many curious instances may yet be remembered, which we cannot venture to relate on the mere authority of oral tradition. An amusing story, but far inferior to some we have heard, is told by his son among the details of his visit to France. Having received from his friend Arthur O'Leary, an introduction to the superior of a convent near some town he was to pass, Mr Curran was received in the most cordial and complimentary manner, with a Latin oration, and an offer of the keys. The Latin was so very bad that he, without any hesitation, responded in the same language; he said, "that nothing could be more gratifying to him than to reside a few days among them, that he should feel himself perfectly at home in their society, for that he was by no means a stranger to the habits of monastic life, being himself no less than the prior of an order in his own country, the Order of St Patrick or the monks of the Screw. Their fame might never have reached the Abbot's ears, but he would undertake to assert for them, that though the brethren of other orders might be more celebrated for learning how to die, the monks of the Screw were as yet unequalled for knowing how to live. As, however, humility was their great tenet and uniform practice, he would give an example of it on the present occasion, and instead of accepting all the keys which the Abbot had so liberally offered, would merely take charge, while he stayed, of the key of the wine cellar." A droll adventure is also related on the occasion of his sitting at the opera, between an Irish lady whom he had accompanied thither, and a young Frenchwoman. The ladies having manifested a mutual disposition to converse, but being respectively unacquainted with each other's language, Mr Curran volunteered his service as an interpreter. He, however, so altered and adorned the conversation as it passed, with witty and complimentary additions, that the ladies each began to entertain a very flattering impression of the other. At length Mr Curran, when he thought admiration had gained its height, in conveying some very innocent question from his country-woman, converted it into an anxious demand if she might be favoured with a kiss; "Mais oui, mon

Dieu ! oui," cried the lively French girl, "l'allos le proposer moi-meme," and springing across Mr Curran, imprinted an emphatic salutation, according to the custom of the country, upon each cheek of his fair companion, and then turning to him, added, "O vraiment, Monsieur, Madame votre amie est une veritable ange." In 1788, Mr Curran made an excursion to Holland, of which as usual his letters contain interesting and graphic sketches. In the following year he took an active part in the Regency question. It is mentioned that on this occasion he was offered to be raised to the bench, and eventually to the peerage, on condition of giving his support to the administration. These offers he had the public virtue to decline. His opposition was rather marked by a fresh degree of spirit and unsparing animosity, and he wielded the weapons of ridicule and exposure with so much address, and pressed home his charge so successfully, that it is evident he became very obnoxious to the Irish administration. Some time after, upon a discussion in the house upon the subject of a division of the Board of Stamps and Accompts, he was replied to by Sir Boyle Roche, who concluded with language plainly conveying a menace of personal consequences. Mr Curran made a spirited reply, which he concluded by saying, "As to myself, while I live, I shall despise the peril; I feel in my own spirit the safety of my honour, and in my own and the spirit of the people do I feel strength enough to hold that administration, which can give a sanction to menaces like these, responsible for their consequences to the nation and to the individual." In a few days after, he was insulted by some person who was, or was supposed to be, in the service of the Castle. This was the notorious Newell, who turned informer against the rebels, and afterwards, in consequence of his forward insolence, receiving from his employers rebuffs and mortifications, revenged himself by endeavouring to inculcate honourable men. He ended his career by falling into the hands of his ex-friends the rebels, by whom he is believed to have been assassinated. At this time he was in the employ of the Government. Curran applied to Major Hobart to dismiss him; the major replied that he had no such power, and that Newell was as much a stranger to him as to Curran himself. A correspondence followed which terminated in a duel from which neither party received any hurt. We have already noticed the quarrel between Curran and Fitzgibbon; there grew up between them a bitter hostility, and the whole conduct of both to each other was very deserving of censure. To Curran the main consequence was that he lost his practice in the Court of Chancery, which he rated at a thousand a year. His powers of advocacy, however, were so admirably fitted for the practice of the law courts, that he could scarcely fail to have his utmost powers of effort engaged; but this does not of course meet the question of emolument. From 1794, Curran took a very active part in the numerous important questions brought forward in parliament. In these he took the popular side, and acted and spoke with the fearless honesty of his character. He stood by the side of Mr Grattan, and yielded to none in zeal or popularity. It would nevertheless be unjust to Curran to rank him as a politician. If so classified, he would take his place among many good and eminent men, whose names are now almost lost in oblivion. It is as a rhetorician and an advocate that we are to put forward the claim of one who in these

respects has perhaps never been excelled, and not often equalled in modern times. To the accusation against his oratory that it passed certain fixed bounds, and did not always obey the canons of conventional taste, that it was sometimes too poetic and too exuberant, we can only say that in respect of his deviations he was most effective. He had the true characteristic of genius (for genius always receives this censure from mediocrity) that he did not want a beaten road to attain his end, but struck out new roads where there had been none. His defence of Hamilton Rowan addressed to any jury in any time or country would be admitted to be a splendid piece of advocacy. He exalts the subject and occasion with every solemn and affecting consideration which can impress the conscience or the feeling of the jury in favour of his client; and his manner and style are equal to the matter. The power of allusion was the master quality of Curran's mind; on light occasions it furnished the best part of his wit, while it played a most important part on serious ones. His most powerful passages display a mastery of the best models, and the most effective passages of ancient and modern literature. Scripture he had evidently studied as a favourite classic, and often drew from it his happiest touches of allusion and graceful language. He had not the massive quality of the higher class of lawyers, but he possessed what was far greater,—the genius of an actor, a dramatist, a moralist, above all, of a poet. If his poetic power had not wasted itself in perishable speech, which is after all a prodigal use of genius, spending the portion of goods in this life, Curran might undoubtedly have been a greater Moore in poetry, a lesser Swift in prose. His poetic powers,—not turned into the artificial jets and architectural fountains into which the classical taste of the time had debased poetry—flowed free as a mountain stream, and had the reckless pathos and force of his native land. We should gladly, if space allowed, offer one or two specimens of his poetic power; but we must pass on.

Mr Curran conducted the defence of the conspirators and rebels of 1798, and his renown rests in no small degree upon his efforts in their behalf. So far as eloquence could avail with prejudiced juries against undoubted facts, Curran's eloquence did avail. It moved the hearts of all; it wrung tears from severe judges; it covered with infamy the informers; it raised the only plea that could be raised, that such evidence was so base that no man's life should be taken upon it.

The defence of Hamilton Rowan has been named by Lord Brougham as the greatest speech of an advocate in ancient or modern times. The commencement of it was compared to Cicero's speech in defence of Milo. A more remarkable and closer resemblance occurs in the celebrated passage on "Universal Emancipation," a doctrine which the crown lawyers had declared to be treasonable—to a well-known passage in Cowper's 'Task'—

"We have no slaves at home. Then why abroad?  
And they themselves, once ferried on the way  
That parts us, are emancipate and loosed.  
Slaves cannot breathe in England: if their lungs  
Receive our air, that moment they are free;  
They touch our country and their shackles fall."

The passage in Curran's speech was as follows:—"I speak in the



spirit of the British law, which makes liberty commensurate with and inseparable from the British soil; which proclaims even to the stranger and the sojourner, the moment he sets his foot on British earth, that the ground on which he treads is holy and consecrated by the genius of universal emancipation. No matter in what language his doom may have been pronounced—no matter what complexion, incompatible with freedom, an African or an Indian sun may have burnt upon him—no matter in what disastrous battle his liberty may have been cloven down,—no matter with what solemnities he may have been devoted upon the altar of slavery, the first moment he touches the sacred soil of Britain, the altar and the God sink together in the dust; his soul walks abroad in its own majesty; his body swells beyond the measure of its chains that burst from around him, and he stands redeemed, regenerated, and disenthralled by the irresistible genius of universal emancipation."

By referring to the originals the curious reader will find much more that is similar, and may easily observe the several mouldings which the same thoughts have received from two minds belonging to such different classes. Curran drew out of the treasures of a richly stored and retentive memory things old and new; and Scripture he had evidently studied as a favourite classic. The masterly allusion in the same speech to the golden image and the spirit walking through the furnace is a good instance of the use of his acquaintance with the Bible.

The next State trial in which Mr Curran's efforts are recorded, is that of William Jackson. He was a clergyman of the Church of England, who, although by birth an Irishman, had spent most of his life in London, where he "occupied the pulpit" of Tavistock chapel, and had won the reputation of being an eloquent and popular preacher. He resided for several years in the family of the Duchess of Kingston, and the actor Foote, having introduced the Duchess's character into one of his plays, Jackson, with his pen, acted as her knight-errant. Having visited France and adopted republican principles, he unfortunately became mixed up with the United Irishmen and lent himself to the designs of the enemy. It is strange to find a man who for several years had held the position of a Protestant preacher in London, and had been in such good society there, remaining unassimilated to British thought and feeling, and showed a character of more than common force and individuality. He was sent over to Ireland to ascertain the practicability of an invasion; and met in London an old friend, a solicitor, whom he engaged to some extent in his designs and correspondence. This person, whose name was Cockayne, grew frightened at the danger of the enterprise in which he had become engaged, and determined, by giving up his friend to certain destruction, to deliver himself from this risk. He accordingly opened his mind to Mr Pitt, who availed himself of so good an opportunity, and desired him to accompany Jackson to Ireland, as a spy both upon him and the course of the conspiracy in general. In obedience to the minister he obtained all the information he could; and at last Jackson was arrested on his evidence, and tried for high treason. The great caution of the United Irishmen prevented his arrest from compromising the leaders; but so great was the interest taken in his fate, that four inferior members of the body associated to save him, by the assassination of Cockayne.

This came out in the course of another trial. Jackson remained in prison for a year, during which time he was treated with lenity and permitted to see his friends. A circumstance which occurred to him while in prison, shows that however mistaken in his political views he was a man of the most honourable character, of an almost antique type. One of his friends had remained with him to a late hour, and he went to see him to the outer door. The jailer was asleep and beside him lay the keys. Not wishing to disturb him, Jackson took the keys and let out his friend. While thus engaged the natural thought of escape flashed upon him; he wavered for a moment, but the next brought up to his mind the consequences to the jailer, who had on all occasions treated him with kindness; the generous feeling prevailed; he quietly laid down the keys, and, without awakening the friendly jailer, returned to his own apartment.\* His trial came on at last before Lord Clonmel. Curran acted as his counsel. If the treacherous friend on whose sole evidence the Government relied was not impervious to shame, it would have been better for him to have fallen a victim to the United Irishmen, than to have come under the flail of Curran's tongue. One of the great advocate's most earnest efforts in parliament,—almost the only one in which he had been principal—was to make two witnesses necessary for a capital conviction. This law, had he procured it, would have saved several of his subsequent clients, whom he defended in its spirit against the evidence of a single perjurer by profession. In truth, however, it must be admitted that, notwithstanding the infamy of Cockayne, there could be little doubt that his evidence was true in the main, and no intelligent jury could have failed to be convinced of Jackson's guilt, or to find, as the jury actually did, a verdict against him. Whether it was the intention of Government to carry out the capital sentence cannot be determined; but precautions were taken against suicide which were ridiculed by the prisoner. He observed that "the man who feared not death, could not want the means of dying, and that as long as his head was within reach of the prison wall he could prevent his body from being suspended to scare the community." When on his way to the court to receive sentence he was observed to be very sick. In the court he appeared in great disorder, which for a time was ascribed to fear. This continued to increase rapidly; he obeyed the directions of the court with unnatural and spasmodic efforts, which seemed to indicate an imperfect consciousness; the perspiration streamed down his face and rose in clouds of steam from his hair; a general impression of astonishment and horror spread through the court; "he beckoned his counsel to approach him, and making an effort to squeeze him with damp and nerveless hand, uttered in a whisper, and with a smile of the most awful triumph, the dying words of Pierre—"we have deceived the senate." Struck by these terrible indications Lord Clonmel was about to remand him, when the attorney-general entered court and called for judgment. He was accordingly set forward, and presented, while endeavouring to obey the orders of the court, a horrible spectacle of the struggle between the powers of life and death. Ghastly and convulsed, with half closed eyes, in which there was already the dim

\* Dr M'Neven.

glare of death, he stood for a time, while Curran interposed some arguments, on which a discussion arose, in arrest of judgment. At last he sank down and died. The dead man remained in the dock while the judge and spectators departed. The next day an inquest showed that he had died by poison.

Still more remarkable than the trial of Jackson was that of the unfortunate Henry and John Sheares, whose fate is still recollected with interest. This trial afforded one of the most memorable displays of Curran's eloquence, and of the peculiar energy which he threw into the cause of his clients. We have already alluded to these young men in the memoir of Lord Clare, whose successful rival in love one of them was said to have been, and whom he endeavoured to save from their fate with a severity of private rebuke and exhortation which perhaps defeated, as it marred, the real kindness and generosity of the design. They were both members of the Irish bar, and of a respectable family connected with the county of Kilkenny. Henry, the elder brother, possessed a competent fortune, had received a University education, had no talents, but was much valued and loved in the relations of private life. His character was weak, credulous, and yielding; but at the same time he was proud, ambitious, talkative, and ostentatious. His brother John was a man of firmer intellectual mould; a simpler and sterner character, with far less vivacity, but with more tendency to enthusiasm. These brothers were remarkable for their close attachment to each other, and, as usually happens, John possessed a strong ascendancy over the conduct and opinions of his feebler brother. In 1792 they spent a little time in Paris, where they took the infection of republicanism, and unfortunately, when they came home, fell into contact with the United Irishmen. They joined them at first on the reform question, which, if not then, certainly became later, a bait for the trap of those endeavouring to catch converts to revolution. Authority to which we cannot deny great weight, is satisfied from the evidence of Emmet, O'Connor,\* and M'Neven, that until after 1795 the professions of the Society were

\* Arthur O'Connor (born 1763) outlived for more than half a century the dangers and excitement of his early life, and died in 1852. Originally ordained a clergyman of the Church of England, he forsook that profession and was called to the bar, and became one of the leaders of the United Irishmen. In taking that side he sacrificed brilliant prospects, having been offered a commissionership of Revenue, with a promise of the chancellorship of the Exchequer. He edited the *Press* newspaper, one of the chief organs of sedition; but was prevented by his arrest from taking a part in the bloodshed of the rebellion, and great influence was exerted on his behalf by many leading political men. As nephew and heir of Lord Longueville he had been received in the best Whig society; and Fox, Grattan, Sheridan, the Earls of Moira and Suffolk, and others, appeared to give evidence for him at Maidstone. Father Coigly, who was arrested at the same time, was condemned and executed. O'Connor was acquitted, but rearrested in court after an undignified disturbance. With the two other United Irishmen mentioned above, he composed, by agreement with the government, in order to save the lives of Byrne (who was executed notwithstanding) and Bond, who died in prison, a memoir of the Society of United Irishmen. He was included in the bill of banishment; but until the peace of Amiens, was imprisoned in Fort George in Inverness-shire. He afterwards went to France, where he entered the army, and married the daughter of Condorcet. He retired from the French service as a colonel, but by living sufficiently long, rose to the rank of general.

sincere;\* but a different view has been upheld in these memoirs, although we fully admit that, even at a later date, in the conference held at Belfast, there was a disposition to take what they had been seeking nominally, and without hope of obtaining, and to resign what in reality they had been covertly following.† We could not account for the parliamentary leaders of the patriotic party holding aloof as they did from the United Irishmen, if up to 1795 the real designs of the Society had been as perfectly innocent and legitimate as their own. Mr Grattan and his friends, although they only knew it superficially, were perfectly aware that they could not, as loyal men, connect themselves with the Society. What was known, however, to the leaders with their extensive information, was not known to such men as the brothers Sheares when they first joined; but they were of course initiated into the deeper myteries in a short time. They fell under suspicion; but an unfortunate lenity was shown to them by the authorities, which, instead of being taken advantage of to withdraw from the conspiracy, was only used as a license to advance. When matters had reached the verge of insurrection, they were led on into taking an active part. Considerable disaffection was supposed to prevail amongst the military and militia, and one of the objects of the conspirators was to work upon this. A certain Captain Armstrong, whose regiment, quartered at Loughlinstown, was known to be especially tainted, was in the habit of expressing loose opinions, probably from idle braggadocio, and not from any real opinion. It is not worth while to expend trouble, in examining whether Captain Armstrong was a fool or a villain; we incline to believe that he was the former. However this may be determined, his conversation led a bookseller, named Byrne, who was evidently a sort of procurer for the rebellion, to request that he might be allowed to introduce him to the Sheareses, who, he said, were deeply engaged in the common cause, and would regard him as a valuable acquisition. Captain Armstrong was probably ashamed or afraid to confess that he had been talking nonsense, and did not see how to avoid being introduced into the conspiracy. He consented to the introduction, but at the same time was determined not to be a real conspirator. He accordingly gave information to his superior officer, and was ordered to lend himself to the arts of seduction which were evidently about to be practised upon him. Byrne introduced him to the brothers; he dined, by Lord Castlereagh's recommendation, at their house in Baggot Street, where they shewed him the most friendly hospitality, little suspecting that they were entertaining their hangman. The authorities duly briefed the conversation of each entertainment, and when sufficient materials had been collected, the young men were arrested and brought to trial. It was past midnight when Curran rose to address the jury in defence of Henry Sheares; he was exhausted by the exertions of a day spent in protracted endeavours, in cross-examination and otherwise, to discredit the testimony

\* "The Leaders of Public Opinion in Ireland," by W. E. H. Lecky, M.A. Mr Lecky with the purest and calmest style, combines the fairest statement; but he rather errs on the side of acquitting everybody, which is the weakness of modern history.

† See memoir of Grattan, p. 257.



of the witness. He availed himself of the circumstances related with great felicity, and delivered one of the most affecting speeches perhaps ever heard in a court of justice, omitting nothing which might influence the feelings, conscience or reason of the jury. As, however, the evidence, albeit the credibility of Armstrong was shaken, was too strongly supported to admit of a reasonable doubt, Curran's eloquence was in vain to save his unfortunate clients. They were found guilty and sentenced to execution. On the announcement of the verdict, the brothers embraced each other. When brought up for judgment they each addressed the court. Henry Sheares having a large family, attempted to utter a request that he might have time allowed for the arrangement of his affairs; at the mention of his family his feelings overpowered him, and he was unable to proceed. His brother John addressed the court at some length; after vindicating himself from the charge of having instigated the rebels to sanguinary conduct, he implored with strong and pathetic earnestness that some respite should be allowed to Henry, to provide for his unhappy wife and six children, and their aged mother. Lord Carleton was much affected by the request, the more so as he had been acquainted with the Sheares' family, but he was unable to accede to it. The next day was fixed for the execution; and perhaps the rapidity with which capital sentences were carried out in those days, was more merciful than the long interval now granted, in which, although there is more time for religious preparation, there is a dreadful realising of the punishment, and long drawn torments of fear. John Sheares prepared to meet his end with the natural firmness of his character; a letter written the night before execution, while it shows the deepest affection for his family, displays calm and unshaken courage. The death of Henry Sheares was not met with the same fortitude. He was probably not physically a coward, but his position was peculiar; the affectionate solicitude of his friends, the interest in his fate, the address of his advocate, the sympathy of the judge, raised false hopes; and, in the short interval, he could not let go his hold of life and turn composedly to his dreadful fate. Fear is the certain consequence of turning the back upon danger; and having determined to make a struggle for life, as it grew hopeless, he fell into an agony of terror. His letter to Sir Jonah Barrington shows the awful convulsion of spirit which, for the same reason that the features are concealed in the last struggle on the scaffold, one would wish had not been preserved. Barrington hastened with the letter to Lord Clare, who was deeply affected by it, and advised that Henry Sheares should give some information which would authorise the Lord-lieutenant to grant him a reprieve. Had the letter been received a few hours sooner, Sir Jonah would have been successful; but he was not aware of the rapidity with which the officials were at the very same moment making vain his efforts.

Mr Curran defended all the state prisoners; but we have only entered into the cases of the Sheareses and Jackson here, to save the necessity of giving them separate niches in our memoirs. To conduct the defence with the thoroughness and freedom which he displayed, required great superiority of mind to danger and intimidation. He was threatened by Lord Carleton with the loss of his silk gown; and on

one occasion, defending a prisoner, he was interrupted by the clash of arms proceeding from the angry soldiery, whose bayonets shone about him in the lamplight of the court. But this man had power by the spells of his tongue to hold a hostile audience in rapt attention, long after darkness had descended on the court; and in the badly lighted chamber the wonderful face which was generally very much upturned and set a little to one side, with a peculiar look of inspiration, well caught in his bust in St Patrick's Cathedral, alone seemed to remain illuminated, and enchained all eyes to itself.

During the peace of 1802, Curran paid a short visit to Paris, when a new chapter of political philosophy was opened to his intelligent mind, and, we believe, studied with profit. His speech in behalf of Kirwan, who was engaged in the rebellion of 1803, is elevated not only by a sounder but stronger and more philosophic tone of principle than his defences of the rebels of 1798. He took hold of the occasion to throw out many sound, forcible, and impressive appeals to his deluded countrymen, which prompt a wish in reading them, that there were now among us some voice of equal power to warn and remonstrate with our delusions. Of the rebellion of 1803 we shall take separate notice, and will not therefore dwell on it here, further than to advert to the domestic trouble in which it involved Mr Curran. This arose from the visits to his house of Robert Emmet, between whom and Miss Curran there existed the deepest attachment. Some degree of suspicion was necessarily cast by this circumstance on one so popular in his opinions as Curran, and occasioned some painful and troublesome inquiry in which he was, however, treated with respect and delicacy by the persons concerned in the investigation.

On Mr Pitt's death, Curran's party came into power. He was appointed master of the rolls and a member of the privy council. He was dissatisfied with a station so little in conformity with his habits of legal practice, which had been entirely or at least chiefly confined to the law courts. The consequence was that there arose a coolness which lasted for some time, between him and his friend George Ponsonby. Little remains to be told. The rest of his life was passed in the duties of his situation, and the social intercourse for which he was endowed with so many qualifications. From the hour of his promotion, however, his spirits began to decline. To relieve the monotony of his time he formed some literary projects. One of these was a memoir of himself and of his time. It is to be regretted that his health and leisure did not permit him to fulfil his design. The speeches of the advocate cannot afford a criterion how far he would have been a just and temperate historian, but we have no doubt the work would have been full of valuable observation and have thrown much light on the time. The change of habits which gave this literary inclination had, as we have said, a most depressing effect on his spirits. The dry business of equity did not exercise his peculiar powers. It was morally a termination of his public life. The effect is very traceable in his letters and the recollections of those who knew him. He was at all times a man of morbid tendencies; they were repressed in society and in the conduct of public business, and naturally shun the eye of day. But in retirement, when a man's individual sense is brought into action, they assert

their supremacy. There was in Curran a tendency to suspect insult, and a fierce preparation to resent it, which evidenced this latent disposition. He spent his vacations in travelling for health or amusement. In his visits to England, he was treated with all the respect and distinction to which his talents and celebrity entitled him and we find him mixing in the highest whig circles. In 1814, the increasing infirmity of his health induced him to resign his judicial appointment, and from that period he passed most of his time in England. Only in a few of his letters can we trace him through the brief remainder of his days. These letters have a peculiar interest in the distinctness with which they show the working of a mind to which the world had become vapid and colourless, and of which the springs appear to have become thoroughly broken down and the spirits evaporated. Still we have evidence that under the influence of the social affections and the power of convivial excitement, the "Cervantic spirit which used to set the table in a roar," would be lighted up for a moment, and the wonted charm was found upon his tongue. But from the more retired and sobered loneliness of his pen, the power and exhilaration had departed,—he was perceptibly overpowered by the monotony of the prison wall of his existence, and of a life cheered by no animating principle. His heart was sick; he reflected and remarked, but his mind was not with his words; he made efforts, and was strenuous without energy or power. He meditated on mortality in the catacombs, and on all the sad and busy vanities which he met; but in all, he rather seemed to be rousing up his mind to think than to be in earnest in anything, except now and then an affecting allusion to himself. He was accompanied by an impression which did not deceive him, that he was near the end of life. A few years of very melancholy wandering from place to place in search of health which he did not hope to find, and of social intercourse which he but imperfectly enjoyed, conducted him to the gate towards which all are travellers. He was first seized with slight attacks of paralysis, which did not apparently affect the vital parts, and passed off without causing serious alarm. It was on the 7th of October 1817, a swelling appeared over one of his eyes, which he merely attributed to cold; on the 8th he was seized by apoplexy, from which he continued insensible, or nearly insensible, to his death on the 14th. "Three of his children," writes his son, "his son-in-law and daughter-in-law, and his old and attached friend Mr Godwin, surrounded his deathbed and performed the last offices of piety and respect." He was buried on the 4th of November in one of the vaults of Paddington church. Among other mourners at his funeral were Thomas Moore and George Croly.

ARCHIBALD HAMILTON ROWAN.

BORN A.D. 1751.—DIED A.D. 1834.

THE subject of our memoir was the son of Gawn Hamilton of Killyleagh Castle, and of the only daughter of William Rowan, whose name he adopted in compliance with his grandfather's will. He was

educated in England; having been for some time at Westminster public school, he entered the University of Cambridge. While a student he paid a visit to Holland. He obtained a commission in the Huntingdon militia from the Duke of Manchester. About the same time he was induced by a London solicitor to raise money by selling annuities at six years' purchase, and launched out into a course of extravagance. Soon after he became acquainted with Lord C. Montague, who being compelled to return to his government of South Carolina, invited him to accompany him as far as Falmouth, and then prevailed upon him to take a trip with him to America in the character of private secretary. At Charleston he witnessed some of the disorders which were the precursors of the American war. After three months he took his passage back to England and returned to Cambridge. Finding himself heavily involved by the extreme mismanagement of his affairs he applied to his parents for help. His mother offered to compound with his creditors, but this he honourably refused. He obtained relief by arrangements suggested by a friendly solicitor, by which, at some sacrifice of his estates, he obtained money to pay his debts and continue his expensive style of living. He hired a house on Hounslow Heath; kept lodgings in London, and having plenty of cash at command, thought nothing of expense. He kept a phaeton and hunters. His coachman turned out to be a notorious highwayman known as "Sixteen-string Jack," who, there was reason to believe, used his hunters for the purpose of committing highway robberies. This man on one occasion, when his master happened to want cash to buy a horse, offered him a fifty pound note. A paper written about this period by one of his Cambridge contemporaries, gives some distinct notions of his character at school and college; it is preserved by Mr Hamilton in his Autobiography, and may therefore be regarded as authentic. It mentions "his incessant intrepidity, his restless curiosity, his undertaking spirit." His mechanical talent is also dwelt on as something remarkable. His love of adventure and frolic were equally striking, and he was "to be found in every daring oddity. Lords Burlington and Kent in all their rage for pediments were nothing to him. For often has the morning found him scaling the high pediments of the school-door, and at the peril of his life clambering down, opening the door within, before the boy who kept the door could come with the key. His evenings set upon no less perils; in pranks with gunpowder, in leaping from unusual heights into the Thames," etc. At Cambridge he is similarly described as "shaking all Cambridge from its propriety by a night's frolic, in which he climbed the sign-posts, and changed all the principal signs," and being in consequence rusticated by the university authorities. Many curious anecdotes are told of his vivacity, frolic, and love of practical jests. His early character was marked by warmth both of affection and temper, and full of enthusiasm. With such a disposition he was likely to have his opinions determined by his companions, and they were nearly all persons who held the extremely liberal views which actuated his course in life. One disposition, however, forms the key of his early conduct; that was the irrepressible love of distinction. It was his prominent impulse to be first; and the success which in early years



was the result of courage and physical powers, helped to buoy up an element of character which may according to its direction exalt or debase. The narrative of Mr Rowan's life is one of romantic and striking incidents; they give the idea of a man of great moral and physical energy and capable of the noblest sacrifices to his notions of right. Among other excursions he paid a visit to France, and resided there for some time. He became acquainted with the unfortunate George Robert Fitzgerald, who attempted to jockey him out of a horse. Having, by his firm and manly bearing, defeated that design, he was soon after drawn to take some part in a quarrel between the same gentleman and a Mr Baggs; one consequence was his being tricked out of £100, and then induced to act as a second in the duel that ensued between the parties. It was on the whole a most singular affair. Mr Fitzgerald was accused of being *plastroné*, and defended himself by throwing off his coat and waistcoat, when it was observed, that though not defended in the cowardly way suspected, he had taken the curious precaution of tying ribands round his waist and arms. When the parties fired, Mr Baggs was wounded, and while levelling their second pistols, he sunk, saying, "Sir, I am wounded." "But you are not dead yet," said Fitzgerald, firing at him. Baggs immediately started on his legs and advanced on Fitzgerald, who, throwing his pistol at him, quitted his station and kept a zig-zag course along the field, Baggs following him. Baggs took a flying shot, and brought down his man; and Fitzgerald, who was now wounded in the thigh, proposed that as they were both wounded they should begin again. Baggs had, however, taken to his carriage. About the same time, or soon after, Mr Rowan obtained from his friend Lord C. Montague, a Lieutenant-colonelcy in the Portuguese army; this led to further wanderings and adventures, but no military service. He visited Portugal, and spent a short time at Gibraltar. In 1781 he was married to Miss Dawson of Lisanisk, near Carrickmacross. This young lady was at school in England, and usually spent her vacations with Mr Rowan's mother. She was at the time of her marriage in her seventeenth year. The marriage took place in Paris, and there their first child was born, Gawn Hamilton, afterwards a distinguished captain in the navy. During their stay in the French capital, which lasted about two years, they received marked attention from all persons of distinction in their own circle of life.

In 1784 Mr Rowan returned to Ireland to reside, and purchased Rathcassidy in the county of Kildare. Soon after, whilst he was in Dublin with his family, the transaction occurred which first brought him prominently into popular notice. The sum of the affair was, that a girl of the name of Mary Neal had been grossly illtreated. The proceedings taken by her father were crossed by other accusations and proceedings. Mary Neal and her family were accused of robbery. Her mother died in prison, and Mary was convicted and sentenced to death. A strong feeling of suspicion was excited, and Mr Rowan entered into an investigation of the circumstances with all the enthusiasm of a warm and generous nature. He wrote a pamphlet on the occasion, and causing a person who had a principal share in the accusation, to be arrested, he convicted him of subornation of perjury. Mary

Neal was thus saved, but an active paper-war ensued, and Mr Rowan, while his own enthusiasm was strongly excited in defence of an injured woman, became the object of popular admiration and favour. This is the occasion of a story well told by Sir Jonah Barrington, of Hamilton Rowan, who was a man of great strength and stature, making his appearance armed with a bludgeon in a club composed of lawyers, alarming the company by his formidable appearance, and the more formidable demand if any of them would avow himself as the calumniator of Mary Neal. This incident of modern knight errantry was soon followed by another still more adapted to push Mr Rowan forward as a popular champion, and to enlist his honour and vanity in occupying that dangerous post. The sheriff having attempted to suppress a bull-baiting, resistance was made by the people; they threw stones at the soldiers, who fired in return and killed four persons. Mr Rowan was applied to, and after some signs of reluctance, came forward; after subscribing largely to a fund for the prosecution of a public inquiry, he came to town and spent five hours in "tracing every step of the military that day." Sheriff Vance was tried and acquitted, but Mr Rowan's character was set in a strong light as a defender of the people's rights, and his enthusiasm received a new impulse. Impulses of a stronger kind soon followed, adapted to act powerfully on the calmest mind. It is unnecessary to repeat the history of the Irish volunteers. In this celebrated body Mr Rowan was enrolled. He joined his father's company at Killyleagh, and was distinguished by his proficiency in drill and the military intelligence he exhibited. At the election of delegates he was chosen for the county of Down. Mr Rowan was now fairly launched in the career of a patriot. He was everywhere received with the distinction which his character and station deserved; and all this fermented his natural disposition, which was alive to all kindly emotion and very accessible to flattery. At this time faction had not yet absorbed the public feelings; and Mr Rowan was acting in combination with Grattan, Fox, and a host of first-rate men. It has been explained before how two great impulses began at the same period to be developed in the volunteers—that of revolution and that of political reform. The former grew up under cover of the latter. Mr Rowan, with other men of high character, were gradually warped with the direction given to their party; they were taught to despair of reform, and at last to look for a remedy only in the direction of revolution. Mr Rowan became, as he could not well fail to be, implicated in suspicion. In December 1782, a paper of the most seditious kind, full of the sentiments of the French democracy, was actively circulated among the volunteers; Mr Rowan and Napper-Tandy were accused of being the agents of this, and an *ex-officio* information was filed against the former by the Attorney General. At the same time Tandy resented some disrespectful words applied to him by Mr Toler in the House of Commons; and having resolved to obtain satisfaction in the way then usual, he applied to Mr Rowan to act as his friend. As will be explained elsewhere, the meeting did not take place. Other incidents of the same kind quickly followed; a duel between Mr Burrowes and Mr Dowling was fought at Holyhead; Mr Rowan was Mr Dowling's second. Another quarrel of the same nature immediately after occurred between the Hon. Simon Butler

and Lord Fitzgibbon. Mr Rowan was applied to by the former, and called upon the Chancellor, but Lord Fitzgibbon, whose courage had on several occasions been put beyond question, refused to compromise the dignity of his station by accepting the challenge. The language objected to had been used in delivering a sentence of the House of Lords. Mr Rowan expressed a hope that he might be permitted to say to his principal, that it was not his lordship's intention that his words should be taken personally, and that they were spoken unreflectingly. The answer of Lord Fitzgibbon was characteristic; he "thought that the circumstances of the case called for the expressions he had used; that he never spoke unreflectingly in that situation; and, under similar circumstances he would again use similar words." He declined further explanation, referred Mr Rowan to his situation as chancellor, and so the matter ended. Mr Rowan in this affair conducted himself with a spirit and temper which seem to have made a favourable impression on the mind of the Chancellor. A friend of his who chanced to breakfast with Lord Fitzgibbon soon after, had expressed Hamilton Rowan's regret at having come to Ireland while party feeling ran so high, and said that he would return to England when the prosecution then pending should be over. The Lord Chancellor offered in the event of his doing so, to stop the prosecution. Unfortunately, he added the condition that he should withdraw his name from the United Irishmen; this Mr Rowan declined doing, and the offer came to nothing. In 1793 an incident occurred which was a source of great trouble. During a trial in Scotland, a letter of Rowan's was read in court in evidence against a Mr Muir, to whom it was addressed. It drew from the Lord Advocate some very severe language directed against the writer. Mr Rowan resolved to look for satisfaction, and went over to Edinburgh with his friend the Hon. Simon Butler. The public was then little less agitated in Scotland than in Ireland by passions, animosities and fears; and the chivalric levelling of the Irish code of honour was not at all understood. The Lord Advocate of Scotland was less accessible to hostile messages than the Lord Chancellor of Ireland, and Mr Rowan's peculiar and privileged character was unknown to the Scotch law officers. A warrant was issued for his arrest; but he was set at liberty on the security of a Mr M-Leod, a gentleman of position and large property, who held similar political opinions. The affair was terminated by the Lord Advocate's declaration, that he did not hold himself accountable for observations which he thought proper to make in his official capacity. As it was evident that he could not be compelled to take a different course, Mr Rowan and his friend saw the wisdom of letting the matter rest so. In the meantime the period of the expected trial drew on, upon the information filed in the preceding year. It was the wish of Mr Rowan to be defended by United Irishmen. But Messrs Emmet and Butler thought it might appear presuming for junior counsel to take the lead in such a case. He yielded to the urgency of Mrs Rowan and other friends, and engaged Curran as his advocate. In the meantime his mother died, and he went to England to settle her affairs. Great delays occurred in the prosecution of the trial; at last, however, it came on; it had been awaited with breathless interest by Mr Rowan's

friends and the lower classes of the people. Curran's celebrated speech did not avail his client; a verdict of guilty was brought in, and he was sent to the new prison to await his sentence. Mr Rowan addressed the court on this occasion; and though he vindicated his own intentions with perfect truth, he still avowed enough to justify the verdict. It has been denied that he was the real distributor of the seditious paper; Mr Rowan did not himself deny it, he justified the sentiments it expressed, and that in language which strongly implied his being a party to its distribution. He was sentenced to a fine of £500, and two years' imprisonment; and to give securities, under heavy bail, for seven years.

During Mr Rowan's imprisonment his manner of living was characteristic of the man. He kept a frugal table for himself, yet such as to enable him to dispense freely to the wants of his poorer fellow prisoners. When he had been in prison about two months, he received a visit from the French emissary Jackson, accompanied by Cockayne, the fatal satellite of his mission. He also about the same time received from Mr Tone his well-known "statement of the situation of Ireland," written for the information of the French Directory. Of this paper Mr Rowan made two copies, of which he gave one to Mr Jackson to convey to France. This, Cockayne put into a cover directed to Hamburgh, and dropped it into the post-office. The whole matter had been preconcerted with Mr Pitt. Cockayne was immediately seized and taken before the privy council, and Mr Jackson was arrested and sent to Newgate. The same evening Cockayne came to Mr Rowan and gave him an account of all that had passed; but it is hard to say how far his statement may have been true or false. It is not likely that this man who had betrayed his friend, and accompanied him to Ireland in the character of a spy, would have incurred the risk of conveying a warning to Mr Rowan, unless he had been prompted to do so by some one in authority. His information so far alarmed Mr Rowan that he considered his life in danger, and determined to escape. The mode in which he effected it, would, we believe, have been impossible, if a secret influence had not been at work to favour the attempt. There can be little doubt that Lord Clare was cautiously instrumental. The under jailer was induced to accompany Mr Rowan to his house in Dominick Street; he contrived to retire for a moment into a back room, where he disguised himself in the clothes of his herd, who had fortunately come to town that day; he then let himself down by a rope from the window, and proceeded to the head of Sackville Street, where, after some delay, he was met by his friend Mr Dowling, according to appointment, with horses. They then proceeded to the sea-side, to a Mr Sweetman's, near Baldoyle, where they were kindly received. The next morning Mr Sweetman set out for Rush, to endeavour to engage a passage for Mr Rowan in one of the smuggling boats, and found the place in great confusion, as a military party was already there making an active search for Mr Rowan in all the neighbouring houses, under the guidance of Dowel, the under-jailer. In the course of the day, proclamations appeared offering £1000 from Government, £500 from the city, and other sums from the jailers, for his apprehension. Thus disappointed in this quarter, it was proposed



to Mr Rowan, to make his escape in a small fishing wherry belonging to Mr Sweetman. To this proposal he consented, and two brothers named Sheridan, who agreed to find a third, were induced to navigate the little craft. They embarked, and after many slight casualties, among which were a storm and the convoy of a fleet of merchant-men, they reached the coast of France in safety. Mr Rowan divided his purse among the sailors, and bade them make for home; but, as he afterwards learned, they were pursued and taken. Mr Rowan was treated with great harshness and suspicion by the first official persons he came in contact with; for a considerable time he was imprisoned in Brest, and exposed to unexpected insults and privations. At last, however, by a fortunate chance, his name was recognised by the inspector of jails, who by an application to the '*Comité de salut public*,' had him liberated, and sent on to Paris. There he had an interview with Robespierre; immediately after he was taken with a severe fever. On his recovery he saw some scenes well calculated to pervert the principles of a theoretical republican. He was disgusted and awe-struck by the horrible massacres. He witnessed the execution of two hundred persons, and at the distance of some hundred paces, found himself standing in a lake of human blood. He resolved to go to America; obtained passports for the purpose, and sailed in a wherry down the Seine. His journey was impeded and rendered extremely dangerous by the bloodthirsty officiousness of the republican inhabitants of the towns he had to pass, and it was with some difficulty, and after many interruptions and dangers, that he reached Rouen. At last he engaged a passage to America. His voyage was not without danger; but fortunately, seeing the likelihood of being detected by a British cruiser, it had been agreed between himself and the captain, that he should pass for an American merchant named Thompson, on return home, and his name so appeared in the bills of lading. When they had been two days at sea, his vessel was brought to by the *Melampus*, commanded by Sir J. Borlase Warren, who had been acquainted with Mr Rowan at Cambridge. An officer was sent on board, who examined the ship's papers, and then interrogated Mr Rowan pretty closely. He retired as soon as he was allowed, to avoid the risk of being observed by the British commander. The voyage was tedious and crossed by contrary winds, and Mr Rowan relieved its monotony by writing a journal for his wife. Among the entries there appears one which showed how the experience of revolution had affected Mr Rowan's opinions. "I own to you candidly, when it is of no avail, that my ideas of reform, and of another word which begins with the same letter, are very much altered by living for twelve months in France; and I never wish to see one or the other procured by force. I have seen one faction rising over another and overturning it; each in their turn making a stalking horse of the superior power of the people, to cover public and private massacre and plunder, while every man of virtue and humanity shuddered, and skulked away in a disgraceful silence." At last America was reached, and Mr Rowan remained for some time at a boarding-house in Philadelphia, from which he soon proceeded to Wilmington, about thirty miles from that city, and in the State of Delaware. During the few years of his residence in America there

occurred little of importance. He was supplied with money by frequent remittances from his wife, whose superior good sense and steady affection appear conspicuously through his entire narrative. He made two efforts to embark in trade, but displayed more of the ardour and strenuous temper of his mind than of the qualities calculated to succeed in business. His indifference to privations; his proud humility; his readiness to submit to hard labours and trying losses;—all indicate the bold and strong outline of the heroic temper of old romance. He suffered much from the separation from his wife, but would not urge her coming out to join him from a recollection of his own sufferings in the voyage. During all this time occasional efforts were being made to obtain permission for him to return home. Lord Clare exerted a kindly influence in his favour, and expressed his willingness to assist in procuring his pardon; he also, by the exertion of his authority, prevented Mr Rowan's property from passing out of the hands of the family on his outlawry. He now exerted himself to obtain his pardon. In this he met obstacles from the opposition of the English Chancellor, but was countenanced by Lord Castlereagh. A friend of Mr Rowan, of opposite politics, sent him a draft petition which he advised him to forward to Government; but this he declined, as it contained admissions and engagements which he could not make consistently with his own opinions. Mrs Rowan urged her suit that he might at least be allowed to return to the continent of Europe. The same friend, Mr Griffith, warmly seconded her efforts by writing to the Lord Chancellor, and calling on him repeatedly to urge her suit. To Lord Clare's honour be it recorded that he always showed the kindest sympathy for the sufferings and deprivations of Mrs Rowan and her family. He who could trample on the common people as the mud of the streets was able to feel for the sufferings of a gentleman and his family. He gave Mrs Rowan the most judicious advice as to the management of her affairs, and suggested such a course for Mrs Rowan to pursue, as ultimately led to the fulfilment of her wishes. At length, in September 1799, she had the joy of receiving a letter from Lord Castlereagh informing her that in consequence of the Lord Chancellor's good report of her husband's conduct in America, he was permitted to return to Denmark or to any place in Europe where he might be granted a refuge without the apprehension of capture by his majesty's cruisers. In consequence of the arrangements made on receiving this permission, Mr Rowan had, in 1800, the happiness of meeting his family in Altona, where he took a house. In July 1802, he transmitted a petition to the king, expressing gratitude for the protection afforded during his exile to his wife and family; stating that he had withdrawn from France to avoid the imputation of attempting to disturb the tranquillity of his own country; that during five years' retirement in America he had refused all inducements to a contrary conduct. The petition concluded with the expression of complete loyalty, and a prayer for the royal clemency. In the meantime, Lord Clare, to whose influence Mr Rowan's friends mainly trusted, died before the matter could be pressed with much confidence, and Mr Griffith having gone over to London, met with some discouragement from Mr Pelham. Further correspondence followed, in which Mr Rowan himself took a part. At last the question was discussed in the cabinet with a favour-

able result; and his pardon was resolved on. Arrangements were made, meanwhile, to permit his coming to England; they were communicated by Mr Steele and Lord Castlereagh, from each of whom he received letters marking a friendly attention to his interests. The king's warrant for his pardon and the regrant of his property contained a provision to prevent his going to Ireland. As it was the opinion of lawyers that this pardon was informal, that it should be passed under the great seal of Ireland, that his application should have been made in the first instance to the Lord-lieutenant, and that the pardon only secured his liberty in England, it was considered necessary he should go over and plead his pardon and have his outlawry reversed in the Irish Courts. He failed during the Addington administration in obtaining this permission, but on a change of ministry he applied to Lord Castlereagh who showed every disposition to accede to his wishes. The delays were productive of advantage, for in the interval he found interest to have the form of the pardon changed, and was permitted to reside in Ireland. To Ireland accordingly he returned after a number of eventful years which had passed over his native country, and went through the proceedings necessary for the reversal of his outlawry. According to the usual forms, he was put to plead on the indictment of high treason, and pleaded the king's pardon; this being allowed he was discharged. These forms were concluded in a manner highly honourable to Mr Rowan, who in a brief and eloquent manner expressed his sense of the clemency which had been extended to him and his family. The remainder of his life does not belong to history; it was passed in the discharge of his duties as a kind and beneficent landlord and in the peace of family life. He lived to the extremest age ordinarily assigned to man; and though his course was prosperous in the main, he had the affliction to survive his estimable wife, and his good and brave son, Captain Gawn William Rowan Hamilton, who rose to the high rank he held in the British navy by courage and conduct. This gentleman distinguished himself in several actions and commands. In 1832 he resigned the command of the *Druid* in consequence of ill health. He only lived from this date two years. In August 1834 he died at his father's residence of water on the chest, leaving a son of sixteen to represent the family. Hamilton Rowan died in the same year.

SIR LAURENCE PARSONS, EARL OF ROSSE.

BORN A.D. 1758.—DIED A.D. 1841.

THE founder of the Parsons family in Ireland was Lord Justice in the time of Queen Elizabeth. He bequeathed to his posterity large estates, and his grandson was raised to the peerage as Baron Oxmantown and Viscount Rosse. The next Lord Rosse was raised to an earldom, but dying without issue, the estates passed to the descendants of the Lord Justice's younger brother, baronets of Birr Castle. Sir Laurence Parsons succeeded to the double estates, and finally to the earldoms which had been revived in favour of his uncle. During his uncle's lifetime he took an active part in politics on the popular side; and

the weight of his high connexion, and the great property of the family, made him one of the most important political counters on the side which he espoused. In addition to the accidents of birth and position, he possessed the superior accident of a clear and independent intellect, and as an amateur among the great orators of his day, was a capital public speaker, with the moderation and common sense of a country gentleman, as distinguished from the viewiness which the pure politician is seldom entirely without. He took a firm grasp of his subject, and his style in speaking to it was easy, unencumbered and forcible. He was first member for the University of Dublin, and afterwards for the King's County, of which he retained the representation until the death of his uncle in 1807. In 1792, he opposed the Roman Catholic Relief Bill, in an able speech, which showed considerable power of foreseeing consequences that have actually happened, and which we have learned to regard as just and satisfactory. It was when the question of legislative union was brought forward that he took the most prominent part on the popular side. In both the great struggles upon the subject in 1799, when the measure was rejected, and in 1800, when it was successfully introduced, Sir Laurence acted as leader of the opposition. In the latter year he anticipated the intentions of the Government, and introduced the subject in an amendment on the address. He thus brought on the great debate in which Grattan made his celebrated speech. Sir Laurence Parsons accused the minister of using corrupt means, and of "packing" parliament; he dwelt on the impropriety of bringing on the measure at such a moment; "Annihilate the parliament of Ireland! that is the cry that came across the water. Now is the time: Ireland is weak—Ireland is divided—Ireland is appalled by civil war—Ireland is covered with troops—martial law brandishes its sword throughout the land—now is the time to put down Ireland for ever—now strike the blow! *Who?* Is it you? will you obey that voice? will you betray your country?" He retorted upon the ministry the argument they had used against Reform in time of war, that this was violating their own maxim, and at a moment when Ireland resembled a stricken battlefield, reforming Parliament with a vengeance. He dwelt on the obvious consequence that the hundred Irish members would be swallowed up in the six hundred English, so that virtually he might have argued there would be no more representation for Ireland in a united parliament than for the minority of any one constituency; while there would not be for her the consolation that single constituencies enjoy, of their principles being in a majority, and so represented, elsewhere. Sir Laurence also in this appeal for the parliament which was passing away, recorded the good deeds it had done; and regretted the disposition of Irishmen to look up to England, and down upon their own country, as encouraging the assaults of the British minister. He urged the increase of absenteeism which would result from a union, and concluded a speech which forms a great historical manifesto, with his amendment upon the address.

In 1787, Sir Laurence married Miss Lloyd of Gloster, in the King's County. The remainder of his life was spent in discharging the duties of a resident Irish landlord; and in this position he won a name for doing justice and judgment, far better than political eminence. He



wrote a volume in the early part of his life, in relation to Flood's bequest, on the antiquities of Ireland; and in his latter years, published a work of considerable ability on the evidences of revealed religion. The Earl died in 1841.

#### JAMES NAPPER-TANDY.

BORN A.D. 1740.—DIED A.D. 1803.

THE hero of the descent upon Raghlin Island,—as Tone was the Irish genius of the grander expedition which terminated in Bantry Bay—was James Napper-Tandy. He was the son of a respectable merchant, and was born in one of the suburbs of Dublin. He took a prominent part in the Volunteer movement, and must have possessed some military knowledge to hold an important command in the Dublin artillery. In 1780, when the volunteers were drawn up in the streets to support the constitutional battle that was being waged for the country in the House of Commons, the guns under Napper-Tandy's command carried about their muzzles such threatening mottoes as "Free Trade, or ——" He disposed the artillery so as to command the quays and bridges in case any military movement should be made from the Phœnix Park side of the river; for it was apprehended that the Government might design dealing with parliament after the Cromwellian fashion. Napper-Tandy was one of those, who, when much had been gained, and Ireland had really been made independent, would have pursued the advantage further, and who having lost for the time the great legislator who had led them forth from bondage, took to themselves a golden calf in the person of the extravagant Earl-bishop of Bristol. In consequence of a difference with the Duke of Leinster regarding the declaration of right, he was expelled from the volunteers, but was restored to his command not long after. When the Society of United Irishmen was formed, he took the most prominent part in it either as Secretary of the Society or President of the "Back Lane parliament." In the memory of the Irish peasantry, and in their ballad poetry, he is a more important figure than other leaders of the rebellion, to whom we are obliged to give more space in these pages. In 1791 and the following year, he took a particularly leading part, and was committed to prison for sending a challenge to Toler, the Solicitor General. He was accused of cowardice in not availing himself of Toler's willingness to meet him; but was acquitted by a court-martial, which at his own desire sat upon the charge. Napper-Tandy also distinguished himself by taking an action against the viceroy, Lord Westmoreland, for illegal imprisonment. In 1791 he published in the name of his party a plan of Reform, savouring so strongly of the principles of the French revolution, that he became an object of suspicion to the Government, and was ultimately driven into exile. In France he became the soul of the external conspiracy for freeing Ireland by subjecting it to the French republic. It was owing to his unceasing exertions that Humbert's expedition was at last despatched; this was only intended by the General as a forlorn hope to induce the Directory to follow it up with the main

force under General Kilmaine; the only Irishmen who accompanied it were Matthew Tone (brother of Theobald Wolfe Tone), Teeling, and Sullivan. Napper-Tandy remained behind, and so escaped the fate which befell his unfortunate comrades. The expeditionary force, which consisted of only one thousand men, and a small proportion of artillery, landed in Killala Bay, and immediately stormed the town. The Bishop of Killala was holding a visitation of his clergy, and was surprised by the attendance of a French General and his staff, whom, however, he found not disagreeable visitors and hospitably entertained at the castle. The people of Connaught were not found prepared for insurrection, and the disorderly mob collected to the French standard, instead of strengthening, was found to be a useless embarrassment. Humbert left two hundred men in Killala and advanced to Ballina, from which the garrison withdrew at his approach, and here he was again obliged to weaken his number by leaving a detachment to hold the town. An army of six thousand men was by this time assembled at Castlebar, under the command of General, afterwards Lord Hutchison, consisting principally of militia regiments and some royal artillery. The French lost no time in advancing to attack it; and an unfortunate circumstance, that tended to demoralise the English troops, was that, on the eve of the battle, General Lake arrived and superseded Hutchison, who was well acquainted with the country, and had the full confidence of his forces. There was a serious disagreement between the commanders at this critical moment; and the French appearing from an unexpected quarter, a disgraceful route of the militia army ensued, in which they lost all their artillery, and three hundred and fifty men and eighteen officers in killed, wounded, and missing, and six stands of colours. The retreat was precipitate and continued to Athlone, a distance of seventy miles, where some of the fugitives arrived in twenty-seven hours. This rout was long remembered in Connaught as the "races of Castlebar." The French gave a ball and supper in the county town of Mayo, on the night of their easy victory, and immediately proceeded to establish districts, with an elected magistrate for each, and a provincial republican Government, of which Mr Moore of Moorehall was appointed the president. Some of the defeated militia of Louth and Kilkenny had deserted to the enemy; but the total force under Humbert never exceeded 2000 men, and the French commander was surprised and disgusted at no general rising taking place. The Marquis of Cornwallis, meanwhile, was collecting a large army, and soon advanced towards Castlebar, which the French evacuated on his approach, marching in the direction of Sligo; they were, however, turned by a sharp engagement at Coloony, with a small force under Colonel Vereker, which, although compelled to retreat, offered them an unexpectedly brave resistance. They next headed towards Granard in the county of Longford, where a partial insurrection had broken out, but the English troops began to hang closely upon their heels; and another sharp engagement took place between Drumshambo and Ballynomore, in which, though Crawford's troops were repulsed, an unpleasant determination was shown by the pursuers. After crossing the Shannon, the pursuit being so close that they were

unable to break down the bridge behind them, the French were surrounded by the overwhelming forces of Cornwallis at Ballinamuck, and after a short engagement compelled to surrender. Their Irish allies received no quarter, and were either killed in the pursuit or executed on the field of battle. Matthew Tone and Teeling were taken prisoners and executed in Dublin.

The news of the first success of the expedition having reached Napper-Tandy, he set out from Bompart with a number of other exiles, in a fast sailing vessel, and landed on the 16th of September 1798, six days before the battle of Ballinamuck, upon the Isle of Raghlin, on the coast of Donegal. All that this body of invaders did was to publish some proclamations; and the news of Humbert's disaster reaching them, they succeeded in escaping to Norway. The expedition which Tone accompanied set sail on the 20th, and resulted as described in his memoir, in the destruction of the French fleet with the exception of two small frigates which escaped with two of the United Irishmen named Corbet\* and Macguire.

Napper-Tandy reached Hamburg in safety, but was given up by the authorities of the town to a British squadron, and brought a prisoner to Dublin. He was tried before Lord Kilwarden and acquitted, but being brought to trial again at Lifford for the descent on Raghlin island he was found guilty and condemned to death. The fact that his son had served under Cornwallis in India probably saved him from immediate execution; but he was excluded from the bill of Amnesty. Time, however, was given for the French Government to interfere on his behalf; and the first consul having threatened to break off the peace negotiations then proceeding if his life was not spared, he escaped the ignominious fate which overtook so many of his comrades. By a second intervention of the French Government, after two years' imprisonment, he was released from prison and conducted to Wicklow, and sent thence to Bordeaux, where he died one year after. He held the rank of Colonel in the French army.

#### LORD EDWARD FITZGERALD.

BORN A.D. 1763.—DIED A.D. 1798.

LORD EDWARD FITZGERALD was the fifth son of James the twentieth Earl of Kildare, afterwards first Duke of Leinster. His mother was daughter of the second Duke of Richmond. After his father's death the Duchess married Mr Ogilvie, a gentleman of ancient and respectable Scottish descent. Lord Edward was treated with great kindness by his stepfather, who brought him up for the army. As he grew to manhood, his sweet and refined character, full of enthusiasm, made him extremely beloved by his family and all who enjoyed his intercourse.

\* William Corbet was born in 1779. His father was a distinguished classical teacher, and the son entered Trinity College, Dublin, at the age of fifteen, and gave great promise. He was secretary of the College Historical Society; in Lord Clare's visitation he was one of those expelled. He rose to the rank of General in the French army.

In his eighteenth year he obtained a lieutenancy in the 96th regiment, and from this exchanged into the 19th, with which he sailed for America. We cannot of course follow him through this campaign, in which we find him fighting against the cause for which in his own country he sacrificed his life. The impression he produced upon his comrades may be given in the words of Sir John Doyle :—"I never knew so loveable a person ; and every man in the army, from the general to the drummer, would cheer the expression." In 1783 he returned home ; his brother sent him into the Irish parliament, but he does not seem to have taken an active part in the business of the house, in the proceedings of which his name hardly occurs. The taste for military life and love of adventure was too strong to allow him to settle down to political drudgery ; and, after spending a short time in military studies, he paid a short visit to Spain, and then rejoined his regiment in Nova Scotia. The origin of his republican notions is said to have been that which has often since made radicals of the younger sons of noble houses ; but in his case the lack of fortune was brought painfully home to him by the family of a young lady, with whom he had fallen in love, rejecting him on this account. Lord Edward now found himself, upon such a ground, disappointed in love, sick of artificial society, under the fascination of nature in new, wild, and adventurous scenes, among the boundless forests and prairies of the new world. The influence of this life permanently affected his character and confirmed the republican turn to which his disappointment had given rise. In one of his letters he describes the delightful feeling of waking "perhaps in the middle of the night, in a fine open forest, all your companions snoring about you, the moon shining through the trees, the burning of the fire,—in short, everything strikes you." Among the charms of his most delightful letters, one cannot fail to remark as particularly beautiful, the way in which he regards his mother. On his return to Europe Lord Edward was introduced to Pitt ; but their acquaintance does not seem to have gone further. In the society of Fox and Sheridan, Moore represents him as drinking in new and deep draughts of the philosophy of republicanism. In these companions he found his own vague feelings take substance and glow into life,—he began to understand what had been unconsciously working in his mind, and saw it recommended by all the splendid sanctions with which genius, wit, eloquence, and the most refined good fellowship, could invest it. From London he went to Paris in 1792 ; and here his republicanism received a fresh development. The revolution had fully set in, and had already given indications of what it would grow to. The unhappy Louis was only not yet murdered—the south was filled with massacre—the goddess of Reason was set up—the Jacobins were reaching their dreadful ascendancy ; all was menace and murder, but they were wreathed with flowers, marched to music, and revelled in the strains of love and peace. The enthusiastic stranger failed to be impressed with the tiger features, or the sparkle of the assassin's knife beneath the tragi-comic robe, or the blood that dropped from its folds ; he heard but the philosophy of the forest, the echo of the freedom of the woods. The splendid and imposing exhibitions which afterwards "drew iron tears" from the buccaniering sympathy of Tone, gave also a strong military impulse to a higher heart. Another and purer influence was brought to bear to strengthen his im-



pressions. He fell in love with a young lady whose birth is involved in some mystery, but who was understood to be, and it has since been pronounced truly, the daughter of the Duke of Orleans and Madame de Genlis. With this lady he was more fortunate than in his first love affair; he was accepted and married her. It may be presumed that the daughter of Egalité was not unversed in the philosophy of the revolutionary salons, and threw a glamour over principles which were themselves picturesque and fascinating in outline.

We find Lord Edward writing at this time,—“in the coffee-houses and playhouses, every man calls the other comrade, *frère*,—and with a stranger he immediately begins—“*Oh, nous sommes tous frères, tous hommes,—nos victoires sont pour vous, pour tout le monde.*” Such language won upon Lord Edward’s imagination and heart, and allured him by his very goodness and benevolence from the path of honour and safety. On a fatal day, at a public dinner given by the English in Paris in honour of the French victories, he proclaimed himself a convert to the doctrine quoted above, flung off his allegiance, his civil and military rank, and adopted the title of “Le Citoyen Edward Fitzgerald.” His dismissal from the king’s service followed as a matter of course. It was considered better for the sake of his family that there should be no formal inquiry into the circumstances; but the hope was entertained that his dream would have a waking, and that he might quietly fall back into the path of sobriety. Lord Edward did not complain; he was too noble to be vindictive. He was decided in the course he had chosen by every sentiment that binds strong spirits; the habits of his mind—all he had learned of political opinion; the connection he had formed;—in brief, the air he breathed was the wildest republicanism, the very negation and defiance of social institution. No strong grasp of reason restrained him from the exaggeration of theories which men, such as Fox and Grattan, had propounded and upheld,—men who knew how far to carry them, and where they would become absurd. Politics are not like mathematics; the truest proposition in them may be pushed *ad absurdum*, without disproving the proposition itself. The brotherhood of man may be taken as an instance, undoubtedly true, yet capable of being pushed into the rankest absurdity.

Lord Edward’s first return to his native land, and into the circle of his friends and connections, brought him into a more wholesome atmosphere than had for some time surrounded him. His family ties, and others he had formed, tended to bring him back to the quiet course of domestic life. He soon became aware of congenial elements working about him; a process of assimilation set in; the conspiracy of the United Irishmen permeated every circle, and could not fail to gain as a convert one so much pre-disposed to receive its poison. In the interval he enjoyed all that happiness in home which he was so peculiarly fitted to appreciate. Strong affection spread sunshine about his path, and his simple tastes and freedom from social bondage, enabled him to enjoy as few are privileged, those true and pure delights which are only to be found in home. The history of this period is illustrated chiefly by letters to his mother, full of the same kind of chivalrous filial devotion which forms such a charm in his American correspondence. He seems to have been intensely

attached also to Lady Pamela, his wife, and to his infant son. In October 1794, he writes to his mother, who was the confidante of all his emotions,—speaking of the infant,—“Dear mother, how you would love it! nothing is so delightful as to see it in its dear mother’s arms, with her sweet, pale, delicate face, and the pretty looks she gives it.” Again, describing his little place in Kildare, he says, “I think I shall pass a delightful winter there. I have got two fine clamps of turf which look both comfortable and pretty. I have paled my little flower-garden before my hall-door with a lathe paling, like the cottage, and stuck it full of roses, sweetbriar, honeysuckles, and Spanish broom. I have got all the beds ready for my flowers, so you may guess how I long to be down to plant them. The little fellow will be a great addition to the party. I think when I am down there with Pam. and the child, of a blustering evening, with a good turf fire, and a pleasant book, coming in after seeing my poultry put up, my garden settled, flower-beds and plants covered for fear of frost, the place looking comfortable and taken care of, I shall be as happy as possible; and sure I am, I shall regret nothing but not being near my dearest mother.” So little does he seem aware at this time of the social earthquake by which his house was to be shaken down, that we cannot believe he had actually joined the conspiracy in 1794, as some writers have asserted. Two years later the United Irishmen had made considerable progress in the work of cementing the prejudices and passions of the people against English Government, and the conspiracy had gained a great increase of impulse from the hopes of a French invasion. It was probably in 1796 that Lord Edward Fitzgerald joined. His rank and French connection made him a suitable emissary from the “Irish executive” to the Directory; when Mr Lewins, a Dublin attorney, had opened communications in the previous year. Some representative of rank duly accredited by the leaders was required by the French Government; accordingly Lord Edward, accompanied by Mr Arthur O’Connor, now repaired to Hamburg, and from Hamburg to Switzerland. At Basle it seems to have been arranged that O’Connor should proceed alone to meet the French authority, as Lord Edward’s connection with the house of Orleans might cause suspicion as to the object of such a meeting. Accordingly O’Connor went on and had an interview with Hoche, in which the general project of an invasion is supposed to have been adjusted. Some of the results have been stated. Hoche’s expedition took place shortly after, and was arranged at this meeting. The circumstances became known to the English Government. The danger arising from the conspiracy was now urgent. For two years there had been all but open rebellion, and yet it had been impossible either by force or money to come at any of the chiefs. The indiscretion or treachery of Thomas Reynolds, a Dublin mercer, at last put it into their power to do so. He was travelling with a Mr Cope on business, and probably from a natural garrulity and the cravings of vanity to display his importance, let fall some hints which roused the curiosity and sharpened the attention of his companion. The latter, by some cautious cross-questioning, or perhaps opposition, which since the days of the Pylian sage has been a good screw for secrets, drew out enough to make Reynolds feel himself committed. According to one account Cope made indirect

proposals of reward, upon which Reynolds revealed the whole, and was persuaded to take the only course consistent with safety after such a communication; and the Government was at last put in possession of the information it required. The memory of Reynolds has of course ever since been held in detestation in Ireland, where the hatred of informers is strongly marked as a characteristic of the people arising from their unfortunate habits of agrarian crime and conspiring against Government. As warfare against the foreign landlord and the foreign Government are both alike regarded out of the category of common crime, justifiable and patriotic, the informer, instead of being held in the light of an ordinary witness against a criminal, is guilty in the eyes of his fellows, of the most atrocious baseness, and even the common witness, who has had no special trust reposed in him, is regarded none the less as a traitor. Proportionate odium attaches to the authority that uses the resource.

Reynolds became a regular agent of the Government, and from time to time gave notice of the proceedings of the conspirators. On the 12th of March, a meeting of delegates was arranged to take place at the house of Mr Oliver Bond, and of this, information was given to the authorities through Mr Cope. On the appointed day, Bond's house was visited by the police magistrates, and fourteen of the conspirators were apprehended. Dr M'Neven and Thomas Emmet were taken among the rest. Lord Edward alone escaped. A separate warrant had been issued for his arrest, of which he had received notice from a faithful servant, as he entered his brother's mansion in Kildare Street. It was unfortunate that he was not taken with the others, as his arrest would have been the means of preserving his life. He now remained the sole head of the approaching insurrection, and whilst the rebels looked to him as of great importance, the officers of justice were engaged in an active search for his place of concealment. He remained for a month in the house of a widowed lady, and from thence, it being necessary for the purposes in which he was engaged, he removed to the house of a Mr Murphy, a featherman in Thomas Street. Still he might have saved himself. Lord Clare, actuated by commiseration for the young nobleman and for his family, intimated a desire that he should make his escape, and engaged that the ports should be open to permit it; but Lord Edward's courage, and his zeal in what he looked upon as a noble enterprise, refused escape save through the path of triumph. But his daring indiscretion made it impossible to remain concealed in any one place, and he removed to the house of a man named Cormack, where he kept open house for the confederates of his enterprise. It was decided that the banner of rebellion should be raised in the province of Leinster, in the end of May. Every day Lord Edward's arrest became more and more important. On the 11th, a reward of £1000 was proclaimed for his apprehension. This gave a new impulse to the conspirators, and the day was fixed—the 23rd of May—for a general rising. On the 17th, information was given that he was to pass guarded from Thomas Street to Usher's Island, and Major Sirr, with a strong party proceeded to the locality, but as there were two ways by which the conspirators might pass, he was obliged to divide his forces so as to intercept them by either road. A similar plan happening to be

adopted by Lord Edward's escort, there took place in each of the two streets a conflict between the parties, and Major Sirr, who had almost alone to bear the brunt in his quarter, was near losing his life. One prisoner was taken, who imposed on them so adroitly by the assumption of ignorance, that he was set free in a few days, but afterwards turned out to have been McCabe, one of the most notorious of the rebel party. Lord Edward so far escaped. Next day, however, many slight incidents led him to suspect that he was watched, and he was conducted back to Murphy's house. At mid-day, a party of soldiery searched the place of concealment he had just left. This of course put him on his guard, and he was hidden in a securer place among Murphy's stores. It is impossible to say whether the strange imprudence of Neilson, who afterwards kept away from the meeting just preceding the outbreak, and in real or pretended drunkenness, endeavoured to force his way into Lord Edward's prison, had not something to do with his discovery in this last retreat. Neilson paraded the streets all day in a state of much excitement, and occasionally, as he passed the door, asked Mrs Murphy if their charge was safe. He was at last asked in to dinner; Lord Edward came down to meet him, having laid aside his apprehensions; but after dinner, Neilson suddenly retired for some unknown reason, and on quitting the house, left the door open behind him. Suspicion of course fell upon him as the traitor; but an entry of the payment of the reward offered for Lord Edward's apprehension to F. H., who is supposed to have been Hughes, one of Lord Edward's attendants, tends to exonerate Neilson. By some means the place of concealment was found out, and just as Lord Edward had retired to his room, and had thrown himself on the bed with his coat off, when as Murphy was about to leave him, a trampling was heard on the stairs, and Major Swan entered the room. Scarcely had the officer announced the purpose of his coming, when Lord Edward sprang from the bed, as Murphy described him, "like a tiger;" Swan fired a pistol at him without effect, and then flung it in Murphy's face, bidding a soldier take charge of the latter. Lord Edward wounded him with a dagger, and succeeded in also wounding Ryan, who had come to Swan's assistance, and flinging him to the ground. He was making his way to the door in spite of both, when Major Sirr, who had been placing the soldiers round the house, came to the door, and taking a deliberate aim, fired a pistol at Lord Edward, wounding him in the arm near the shoulder. Notwithstanding this severe wound, the soldiers who were called up had the greatest difficulty in disarming and making him prisoner. At last he was bound and taken in a sedan chair to the Castle, where his papers were examined, and thence to prison, where he suffered the strictest confinement, and was not permitted to see any of his friends or family. His wound, which was not of a nature under ordinary circumstances to have caused his death, was aggravated by the agitation of his mind, and the incidents connected with and preceding his arrest, which had been enough to disorder so sensitive a system. He was under the apprehension of an ignominious death, horrible beyond conception to a man of his temperament. Without, he heard the sounds of workmen erecting a scaffold for another prisoner who was about to be executed; in the



solitude of his cell, and the feverishness of a wounded man, he connected it with his own execution. All this caused the wound to mortify, and strong paroxysms of delirium set in. Lord Camden was firm in his refusal to allow any of the unfortunate nobleman's relatives to visit him; but, it has been mentioned in Lord Clare's memoir, he at last humanely consented to accompany Lady Louisa Conolly, Lord Edward's aunt, to the prison, and remained in the outer room for two hours. She has described the scene—"I first approached his bed; he looked at me, knew me, kissed me, and said (what will never depart from my ears,) 'It is heaven to me to see you;' and shortly after, turning to the other side of his bed, he said, 'I can't see you;' I went round; he soon after kissed my hand, and smiled at me, which I shall never forget, though I saw death in his face at the time. I told him Henry had come. He said nothing that marked surprise at his being in Ireland; but he expressed joy at hearing it, and said, 'Where is he, dear fellow?' Henry then took my place, and the two brothers frequently embraced each other, to the melting of a heart of stone; and yet God enabled Henry and myself to remain quite composed. As every one left the room, we told him that we only were with him. He said, 'that is very pleasant.'" Lady Louisa then mentions a conversation in which she gave him some accounts of his wife and children. It did not proceed far before he showed signs of mental wandering. They left him with a promise to return next day. But within two hours and a half he was dead. One extract more conveys the most satisfactory incident by which the life of mortal man can be attended at its close. "I hear that he frequently 'writes Lady Louisa,' composed his dear mind with prayer—was vastly devout—and as late as yesterday evening, got Mr Garnet, the surgeon, to read in the Bible the death of Christ—the subject picked out by himself—and seemed much composed by it." Lord Edward left a widow and three children. In July, 1798, a bill for his attainder was brought in by the Attorney General, which passed after some opposition. When the rebellion went by, there was a wish to reverse it; and as Lord Edward had not been tried, there was some ground to object to such a bill ever having been passed. Emmet's rebellion in 1803 prevented the reversal from being carried out at the time; and it was not until 1819, on the application of Mr Ogilvie, and by the kind efforts of Lord Liverpool, that the estates were restored.

#### SAMUEL NEILSON.

BORN A.D. 1759—DIED A.D. 1803.

It is alleged that Mr Neilson was "the originator" of the United Irish Club, as Mr Tone was the contriver and author of its organisation.\* The prominent part which he took in the events related, renders it fit to give some distinct account of him.

He was the son of a Presbyterian clergyman in the north, and spent several of the earlier years of his life in a commercial business. The prevailing passion for politics, and the great events of the time, drew

\* Madden's "United Irishmen."

him, like others, into political movements, which rapidly absorbed all other concerns in Ireland. He became proprietor of a public journal called the *Northern Star* which was the principal organ of that party out of which the United Club had its origin. The preliminary address of this paper proposed parliamentary reform, as the chief object of its attention. But in strict accordance with the statements which we have already made, we have Tone's authority for the assertion, that reform was in part regarded as a pretext; and in part, as a means to an end; and that this end was "to erect Ireland into a republic, independent of England." The first number of this paper appeared on the 4th of January, 1792. We think it enough to state here, that it was set up by a subscription of wealthy merchants of Belfast, that Neilson embarked £500 in the undertaking, and that the paper by his exertions quickly acquired an extensive circulation. After some time, in 1794, he became sole proprietor. As it was the great channel for the publication of matter not altogether within legal bounds, it was occasionally the subject of expensive prosecutions, which soon induced the other proprietors to relinquish their shares, and finally compelled Neilson to abandon his mercantile occupations. After many misfortunes of the same kind, brought on by the illegal and seditious character of his publication, it was finally suppressed in 1797, after having been an instrument of incalculable mischief to the country. Previously, however, to this last-mentioned event, Neilson himself had, with others of his confederates, been arrested, and committed to Newgate, on a charge of high treason. His conduct upon the occasion was manly and disinterested; and, although he acted under delusions too common at the time, he was one of those few of whom we should say, if certain doubts were more satisfactorily cleared up, that his patriotism was not a pretence, or a mere cloak of faction. The circumstances of Mr Neilson's arrest are given at length in the *Northern Star* of that date. It will here be enough to state, that he voluntarily surrendered himself, on the ground that, having committed no offence, he had nothing to fear.

On the 22d February, 1798, Neilson was liberated. If we are to adopt the grounds for this step, proposed by some writers, we would infer that it was in part to prevent disclosures, which, if prematurely made, would have embarrassed the efforts of Government to bring the details of the conspiracy to light. It is also probable that a false sense was attached to the declaration made by Bird, a person, who, having first agreed to give information, was seized with remorse, and escaped, that Neilson was innocent. It did not occur to the writers alluded to that Bird was probably not quite in the secret, and also that his notion of guilt may not have involved rebellion. On his liberation, he removed to the house of a Mr Sweetman, with whom he remained until the arrest of the principal leaders of the conspiracy at Bond's.

After this event, he was again induced to take a very active, and even violent part. His excuse, when afterwards questioned, was, that he had learned that he was to be again arrested—an apology of which we must doubt the candour, as it is not only inadequate, but essentially connected with the violation of the pledge on which he was liberated. However this may have been, he now exerted himself with great activity in filling up the vacancies left by these arrests. His habitual indiscre-

tion quickly led him into the danger he pretended to have apprehended. He was actually proclaimed on the 22d of May, the day after the arrest of Henry and John Sheares. He planned an attack on Newgate, for the next day, for the liberation of Lord Edward Fitzgerald. He was taken while reconnoitring the prison, and his party in consequence dispersed. He is alleged to have received severe personal injuries on that occasion. The fact is not to be doubted, as the sincerity of Neilson is strongly attested, and still more forcibly confirmed by after circumstances.

Neilson was the first proposer of that compromise with the Government, by which himself and many of the other prisoners were spared, and afterwards liberated. It was suggested to him by his attorney.

During the negotiation which was carried on between the prisoners and the Government, a very striking, and indeed singular, display of human perverseness and cunning ensued. The prisoners were making terms for their lives: they bargained to give certain information to the Government, and formed the design to deceive the Government in their communications. They simply viewed the contract as an occasion to impress views favourable to their purposes, and to vindicate themselves. Their examinations (as published by themselves) were plainly a contest of advocacy. Nevertheless, they manifested a bold and defiant front, and showed a petulance of temper, which would be astonishing, if we were not to consider that, when they had secured their lives, there was nothing further to fear; that is, nothing at once apparent. There was, however, in their evidence, nearly as much inadvertence, as craft and dissimulation. They let fall inconsistencies and strong admissions, in the shape of opinions; and, on the whole, displayed a temper and tone of character, which could not fail to awaken strong distrust.

While such was the position in which they stood, circumstances arose in which it appeared unsafe to liberate them unreservedly. The conduct of Tone had made it quite apparent, what consequences were to be expected from sending out some dozen missionaries of Irish conspiracy to guide French expeditions to our shores. To the administration it became evident, that it was inconsistent with public safety. They acted on a principle of public duty (perhaps a mistaken one), when they determined to qualify the terms into which they had entered with the prisoners. They, on their part, displayed the temper which was to be expected, and for which it is easy to excuse them. They were subjected to a grievous disappointment, and, according to their principles, an unmerited penalty. But it had become far too apparent, from their own conduct, and the tone of character they had displayed in the negotiation,—that, under the existing circumstances, they could not, with safety to the kingdom, be trusted. Whether, under such an impression (for this is enough), it was the duty of Government to hold to the terms of an agreement, hollow and specious on the part of the prisoners, and on that of Government merely a formal pretext for mercy—is a question into which we do not think it necessary to enter; nor should we have wasted space in alluding to it, were not the complaints of the prisoners reiterated, until they have passed into tacit admission on all sides. There are occasions when it may become apparent that

persons in office have entered into engagements inconsistent with their duty to the nation: it will then depend on the nature of the contract, and the character of the parties, how far they are bound. It was not for subjects leagued against the Government, and equivocating for their lives with the intention to keep no faith themselves, to complain of any departure from an imperfect engagement, in which there was no reciprocity—a contract which could not stand in equity. We cannot consider that, substantially, any injustice was committed towards men whose whole proceedings had fully and fairly earned for them the last penalty of the law; and who, in bargaining for their lives, had recourse to every possible chicanery, heaping odium on the Government, while experiencing its mercy. The indignation of official agents was quite justifiable: it was in some instances displayed in acts of petty insolence, discreditable to the actors, but nothing further. The personal indignities of which Neilson has complained, are not to be attributed to any cruelty on the part of persons under Government: the prisoners were generally treated with great indulgence—this we have on the express admission of many of them. Neilson appeared to have been in some respects a special exception: this will be in part explained by his own conduct, which was at times such as to alarm his associates. He was violent, indiscreet; and, if he cannot be described as a drunkard, he was, when drunk, more than usually dangerous.

We freely admit of the defence which has been made for Neilson, on some apparently equivocal points. We think that he was, to the full extent of his own principles, an honest man. His letters from Fort-George exhibit him favourably, so far as respects the private relations of life. His political conduct was sincere according to his views. His sufferings evidently sobered, corrected, and dignified his character; the prisoner of Fort-George is a different man from the prisoner in Dublin Jail. On the whole, there is somewhat very unaccountable in the circumstances attending his imprisonment in Dublin. He made a complaint of the very heavy irons in which he was placed by the jailer. But it afterwards incidentally appears that those irons were but a pretence. He only wore them, he told Curran, for the inspector; while the jailer affirmed in court, that he put them on from the fear that he would attempt his life. There is some inconsistency in the whole narration; and all the circumstances, when put together, seem to justify the dismay and tergiversation of the rebel directory when they heard of it. If Neilson was, what we should not wish to deny without better proof, an honest man, he was so excessively unguarded in his conduct, that no secret could have been safe in his keeping.

To return to the contract: it was the English Government, and not the members of the Irish administration, which, on very full and sufficient grounds, determined to detain the prisoners till the termination of the war with France. They could not decide otherwise. They could not have anticipated that this would be productive of any unreasonable length of captivity. They ordered them to be conveyed to Fort-George, a military fortress in the north of Scotland.

The true spirit of this measure, and the entire absence of any vindictive motive, was shown by the great attention paid to the health and comfort of the prisoners. This is strongly testified by the letters of



Neilson. The same documents also strongly manifest a very considerable improvement in his own character. Separated from the moral contamination of the party with which he had moved—the depraved habits which had lowered both the moral and intellectual tone of his mind; and confined to the society of the better class of that party—men of talent, information, and virtue,—he became sober, reflecting, and disciplined. Separated from his family, his affections were awakened into a predominating intensity, and his religion became a happy and salutary resource.

The prisoners passed their time in reading, and music, and frolic; and, although they exhibited little gratitude, the Government in the license given them, showed great lenity and forbearance.

Neilson, by a courageous act of self-denial, succeeded in obtaining his son as the companion of his captivity. The prisoners in Fort-George were allowed each a pint of wine every day. Neilson sold his share at the rate of 3s. 6d. per bottle, by which means he raised a sufficient sum for the maintenance of his boy, then in his seventh year, and remarkable for his docility and amiable disposition. This child not only occupied much of his father's time usefully and pleasantly, but helped to amuse the dulness and monotony of their confinement for the other prisoners, who also exerted themselves for his instruction. Under these circumstances, Neilson's imprisonment, though disturbed by the natural impatience of constraint, was passed in a quiet and virtuous tenor of studies, duties, innocent amusement, and intelligent society, which had together a salutary influence both on his health and moral character. At last, peace was concluded with France; and the inmates of Fort-George were liberated. Neilson turned his mind to America, but first determined on a clandestine visit to Ireland—both to see his family, and to vindicate himself from some imputations which affected his reputation. He effected this purpose with some risk, but without any material adventure. He then crossed the Atlantic—having left his family in Ireland—with the intention to secure the means of subsistence, before he removed them from their friends. On his arrival in New York, he soon received encouragement to induce him to set up a journal; and entered upon his labours with diligence and success. But a rheumatism, contracted during his long imprisonment, soon returned with added severity, and his constitution quickly gave way. He died at a small town on the Hudson river, in 1803, in the 44th year of his age.

#### DOCTOR MACNEVIN.

BORN A.D. 1763.—DIED A.D. 1841.\*

DOCTOR MACNEVIN was descended from a family of considerable respectability, in the county of Galway. At an early age he was sent to Germany, on the invitation of his uncle, Mr Hugh MacNevin, who had acquired some property in that country by marriage. He there

\* Though Dr MacNevin lived far into a period later than that in which we are yet engaged, his life belongs to the time in which he is here noticed.

received a good education, and having obtained the qualifications essential for the practice of physic, he returned to Ireland, and commenced practice with great success in Dublin. Being a member of the Church of Rome, and possessed of an active temper and considerable talents, he soon began to take a prominent part in the political agitation of his time, and thus became acquainted with the leading members, who, under the pretext of seeking Catholic emancipation and parliamentary reform, were working round their party, with great art and success, to deeper views. Dr MacNevin is mentioned, by his daughter,\* to have been first initiated into the arcana of the United Irishmen by Arthur O'Connor and Lord Edward Fitzgerald, by whose expressed desire he became a member; after which, his activity and zeal were exhibited on several occasions.

The events which soon after followed, and which led to the long imprisonment and expatriation of Dr MacNevin, have been sufficiently detailed in the preceding memoirs. After his liberation, the doctor travelled for a time: he subsequently went to France, and entered, with the rank of captain, into the French service—with the hope (as his daughter infers from his conversations on the subject,) of serving in some expedition against Ireland. This prospect having soon wholly disappeared, he resigned his commission, and sailed for New York, where he once more entered, with the best success, upon his profession. In 1810, he married; after which he spent a long and prosperous life. He appears to have been a man of the kindest nature, capable of the warmest attachments, and deriving from them the uninterrupted felicity of his long life. He died, respected by his adopted countrymen, and lamented by his friends and family, in 1841. Besides several political pamphlets, he published a "Ramble through Switzerland," "Pieces of Irish History," an edition of "Brandes's Chemistry," an "Exposition of the Atomic Theory," and other works.

THOMAS ADDIS EMMET.

BORN A.D. 1764.—DIED A.D. 1827.

DOCTOR EMMET was a physician of great practice, and high repute, in Dublin. He held for several years the place of state physician. He was thus, by station, brought more directly into the acquaintance and conversation of the most eminent public men of the day. With much to recommend him to the regard of his large and eminent circle of intercourse, there is ample reason to believe that the doctor was rather a clever and active-minded, than a wise man. Were we to form an opinion from the various notices of him which occur incidentally, and from the history of his children, we should say that he was a man of singular and eccentric habits of mind, with a considerable portion of flighty enthusiasm and cracked talent. As politics in Ireland were sure to absorb any superfluous activity of mind, the doctor was very earnest and wrong-headed in politics. In a time when revolutionary notions were mixed up with even the most temperate views of the popular

\* Memoir in Madden's *United Irishmen*, vol. iii.

party, he left all far behind in the wildness of his schemes, and the almost crazed zeal with which he took every occasion to enforce them. He had three sons, all young men of the most brilliant parts, who, each in his own way, inherited something of the unlucky craze which neutralised the understanding of their father. And to the fault of nature, education did not fail to add its part. A fanatical idolatry of country was the devotion of their infant years. The Emmets grew up in the spirit of martyrdom, to a cause which they were prepared to adopt as the cause of their country. With the spirit of knights-errant, we must allow that they were endowed with the noble virtues of ancient chivalry—they were humane and honourable, as they were brave and devoted. As each of the brothers is entitled to some share of our notice, we shall give here a short account, in order, of the two elder, before entering upon our narrative of the history of the younger and more celebrated brother.

Temple Emmet, the elder, was considered, by those who knew him, a prodigy of attainment. His memory was astonishing, and his command of language strange and peculiar. He is said to have begun his profession of the law with the full and precise knowledge that is usually the attainment of a laborious life. But if we are to form an opinion of his intellect from the account which remains of his style, judgment and the discursive faculty do not seem to have had much place. His language was not merely extravagantly figurative, but actually cast in the mould of verse; and even as poetry, it appeared inflated. He, nevertheless, soon attained practice, but died early, having had more business than had ever before been acquired by so young a man.

The next brother, Thomas Addis Emmet, is better known. Of the three, he would appear to have had the most manageable combination of faculties. He also was called to the bar, and rose to early eminence. He was, like his brothers, early schooled to ultra-liberalism in politics; and though he did not join the United Irish conspiracy till 1796, he yet endeavoured in all things to serve its ends in his professional capacity. One occasion is mentioned, on which he acted in a manner remarkably characteristic of his family. Some persons were prosecuted for the administration of an unlawful oath. At a certain stage of the proceedings in court, Mr Emmet, having risen to speak to a point of law, took the opportunity to say that he did not consider the oath unlawful; and, to the astonishment of the court and all persons present, he added, "My lords, here, in the presence of this legal court, this crowded auditory, in the presence of the Being that sees, and witnesses, and directs this judicial tribunal—here, my lords, I myself, in the presence of God, declare, I take the oath." It is mentioned that another barrister—well known as one of those United Irishmen who were expatriated by the agreement with government—a Mr William Sampson, at nearly the same time, performed the same feat on a similar occasion, and with the same impunity.

Mr Emmet soon after joined the conspiracy, and was one of those who compromised for life, on the occasion already adverted to. We have before offered some comments on the evidence which he gave on that occasion.

In 1791, he married a Miss Patton, the daughter of a presbyterian

clergyman, by whom he had several children. This lady was permitted to remain with him during a considerable part of the long interval in which he was confined in Fort George, and had a child there.

After the liberation of Mr Emmet, his thoughts naturally turned to America. He crossed the Atlantic, and landed at New-York. After some doubts as to the selection of a profession, he chose to recommence life in the profession with which he had already made acquaintance in Ireland. He selected the state of Ohio, and was admitted to the bar at Alexandria; but presently yielded to the advice of General Clinton, then governor of New York, to remove there. A great obstacle, arising from the regulations of the bar, stood in the way; but by the influence of his friends, and the consent of the benchers, it was removed; and he was permitted to practise without the preliminary probation of six years, which would have been a serious deduction from a life of which forty years had been already spent.

We very much regret that we cannot go into the interesting details of Mr Emmet's most honourable and distinguished career at the New-York bar. It is a portion of American biography; and though we admit that it reflects honour on the country of his birth, yet it would lead us too far from our course.

He rose to the rank of attorney-general, and, in reputation, stood at the very head of his profession, both as an orator and a lawyer. One of his critics compares him to Erskine, and places him above Curran, and adds, "I might safely challenge the whole list of Irish orators for the superior of Thomas Addis Emmet." We quote this as clearly fixing one thing—the unquestionable character of Emmet. As to the comparison, we may observe by the way, without questioning Mr Emmet's superiority, that the critic displays an imperfect acquaintance with the Irish bar; at which Curran, with all his undoubted eloquence, was far from standing first; and at which Erskine would have met more than his match.

Early in the year 1827, while addressing a jury with all his wonted eloquence, Mr Emmet was seized with an apoplectic fit and carried home, where he died, in the 63d year of his age. Every mark of respect due to his great eminence was observed. His funeral was attended by the members of his profession.

Mr Emmet was as well known, and as much revered, for the worth and amiability of his private character and deportment, among his friends, as he was honoured and respected by the public for his talents and public virtues. His learning was various; his knowledge of his professional science, profound; and the industry by which these attainments had been gained, not less remarkable than the brilliant talents employed in their use.

A public monument was raised in the court where he was seized with his last illness, and inscribed with an honourable and true tribute to his memory, from the country of his adoption.



## ROBERT EMMET.

BORN A.D. 1778.—DIED A.D. 1803.

ROBERT was the youngest son of the Doctor Emmet mentioned in the previous memoir. His education and early habits were the fitting preparation for the brief and unfortunate career which forms a part of the history of his country.

He entered Trinity College, Dublin, at the usual age, and gained great distinction in the College Historical Society. He was one of those who, in Lord Clare's visitation, was expelled from the University. He has been described, by one who was not likely to be in this respect mistaken, to have possessed surpassing eloquence. But all that is known of the incidents of his life may serve to illustrate how little of essential connection there is between eloquence and a sound understanding; his opinions on political subjects being those of a visionary and fanatic. We must endeavour to state, as briefly as possible, the event of which he is the hero.

The legislative union between this country and England had been effected, and the consequences were looked forward to, by sober men of either party, with different anticipations; but there was prevalent among the more moderate men, and the better classes, an anxious hope for the benefits which its advocates had abundantly promised. These hopes were to receive the first of many blows from the desperate project of a few deluded men, a remnant of which had, unfortunately for this country, escaped from the hands of justice in 1798. Among these men there remained a firm belief that they would still be enabled to effect their mad and wild projects: they brooded in Paris over dreams of revenge, which their fancy delineated with a fine and shadowy pencil as the back-ground of that political regeneration which was yet to come from France, then beginning to spread her principles, and their results over Europe. There Mr Robert Emmet, after paying a visit to his brother at Fort George, went nominally to travel; his treasonable intercourse with the French Government soon became known: but he found a secure and appropriate asylum from the stern control of the English ascendancy, and the constraint of British laws; and, in the society of a chosen circle of citizens and sages, the *élite* of the Jacobins and the United Irishmen, drew the lore of French philosophy and Irish patriotism. These men were at least resolved that their beloved country should not settle down prematurely into an ignominious acquiescence in the new order of things, or subside into the dulness of peace and prosperity. To rescue her from this inglorious end, and restore her to her normal state of intestine disorder, was the favourite hope for which alone these men lived. They kept up a correspondence with their friends at home, and watched with anxious vigilance everything that stirred the popular spirit.

For a moment their hopes had been excited by the report of Colonel Despard's meditated conspiracy to assassinate the king; and before this design failed, they had met, and entered upon a resolution to send

over to London to obtain accounts of the actual progress of affairs, and to give such aid as might be required. One of those who were not under any prohibition, accordingly visited London, and entered into communication with Despard. This emissary, having been so far successful, proceeded on to Dublin, and succeeded, without much trouble, in raking together the embers of the rebellion of ninety-eight. There was enough of this to be met in every quarter; but, mixed with the patriot's fire, there had sunk deep a cold and deadening experience. The generation then existing had received a lesson on the consequences of civil war, which damped their eagerness with a little cool discretion; and this, which was to show itself signally when matters were more advanced, gave signs, even at the outset, not very satisfactory to a gentleman yet fresh from the Parisian school, and breathing freedom. Nevertheless, he did not despair, but entered on a vigorous course of preparation; brought together secret meetings, and spent considerable sums in the collecting and making of arms. This gentleman, whose name was Dowdal, is said to have been carried by his disclosures into many indiscretions, and now and then dropped his information in mixed company. The Government had obtained a clue to Despard's conspiracy; and it is more than probable that the correspondence of Dowdal thus fell into the hands of the authorities. His own associates, trained to caution, and fearing his indiscretions, began to avoid him; and he was himself, by some means, so alarmed, that he concealed himself for a time. Despard was arrested, and his conspiracy frustrated; but Dowdal had given so much encouragement to his friends in Paris, that Robert Emmet and others were already on their way to Ireland.

Emmet arrived some time in the end of November. and took up his abode at Rathfarnham, where he lived with Dowdal in entire seclusion. Hamilton, one of the principal persons now concerned, was sent to Paris for Russel, the well-known friend of Wolfe Tone, and one of the original planners and movers in the old conspiracy. The whole party were soon together, carrying on their secret meetings in Thomas Street, and making all provisions and arrangements for the execution of their treasonable ends.

At these meetings Emmet was usually in the chair. They did not confine their discussions to the immediate purpose of the meditated outbreak, but entered into the consideration of forms of government consistent with their notions of freedom; and plans were proposed, amounting to the complete dissolution of the social state.

While they were thus proceeding in these isolated deliberations, accounts were received from correspondents in the north that appeared to indicate some revival there of the smouldering fires of the former conspiracy. To avail themselves of this auspicious promise, Mr Russel was despatched in that direction. That we may not have to write a memoir of this gentleman, we shall for a while accompany his movements.

After a circuitous journey, Russel arrived in Belfast, where he was well known as the active associate of Tone; and, immediately after, a meeting was brought together to hear from his lips an account of the hopes, means, and progress of the new conspiracy. He, on his

part, as his breast was the seat of a more earnest and sincere zeal, had the anxious part of endeavouring to feel the pulse of their patriotism, and to infuse into lukewarm breasts the ardour of conspiracy. Though he found many ready enough to enter warmly into the views which he unfolded, it presently became unpleasantly apparent that the majority were unprepared to hear of any prospect of *immediate* action; their sentiments were as disaffected as he could desire; and they showed many sparks of convivial indignation, such as finds a safe and salubrious vent over the punch-bowl. But it was too plain that their expectation and their wishes had not risen above the natural impulse of the vulgar—to hear speeches, hold meetings, utter complaints, and enjoy the comfort and self-importance of conspiracy.

His views were, however, assented to; and when the more daring agreed on immediate organisation, no one had the face to show his fears by dissent; and thus it was that Russel was for some time the dupe of his own activity and enthusiasm. One meeting got rid of its vacillation by appointing another; and several were held in succession, in different places, and by different persons.

Having set the flame in motion, Russel hastened to make his reports in Dublin; and having obtained instruction for concerted movements, he returned to his post. The plans in town had been conducted to the verge of explosion; and Russel returned to urge immediate action. He brought accounts of formidable preparations, of sure-laid projects, and seeming success. We have to observe generally, on these enunciations, that they evidently infused more of surprise and consternation than of military ardour. The meetings began more and more to derive their whole excitement from the circulation of the glass, and their real object was neglected. Russel promised mountains, after the approved prescription of conspirators. He did more, recollecting the maxim of Horace, to appeal to the evidence of seeing—*oculis fidelibus*—he carried about a military coat, made and ornamented after the true revolutionary cut of the Parisian school; and when he found his oratory ineffectual, or when at times he had succeeded in exciting a transient glow—the hectic of a fear-damped patriotism—he put on the coat, and endeavoured to rouse their virtue and confidence by a stalking show of military pomp. But the coat had mostly an effect different from his intention—it seemed to offer a nearer view of appalling realities, and evidently excited a wish to escape. In a word, it is nearly evident that his valour only roused the spirit of northern discretion; and the coat, gorgeous with gold and green, came upon the jolly meetings as an evil auspice, that shook, like Milton's comet, from its horrid skirts "pestilence and war," and not only sobered the stoutest, but paralysed even the circulation of the social jorum.

Like most deeply infatuated men, Russel, though he could not help feeling the reaction on his own confidence of these discouraging incidents, neglected to reason on them strictly, but thought to escape from the suspense of one abortive stage of progress, by trying the next and more decided. His courage took refuge in the path of desperation. It appears only accountable by some such impulse, that, in despite of the manifest indications of reluctance, which were the only result of all his exertions, he endeavoured to resort to the expedient of

violent and open action. Notwithstanding the dry evasions, the reserve, and the frequent panics of his friends, and the decidedly avowed unwillingness of the peasantry, he proposed an attack on the barracks in Belfast. His opinion, supported by his colleague Hamilton, and by a few bold persons of an inferior description, was passively assented to by the meeting in which it was proposed, because they shrunk from expressing reluctance; but with a secret intention on the part of each individual to keep himself clear of all danger. This was the latent peril. Russel and his companions were too brave, and too little sagacious, to comprehend this state of things, until they were personally committed beyond retreating. In the interval, their eyes were unpleasantly and slowly opened by a succession of painful disappointments. The meetings for the purpose of the enterprise above mentioned, can only be understood by comparing them to a crowd of grown men humouring the follies of children. They came together, talked of the crops, and looked grave at the mention of action—proposed to wait a little—took fright, and skulked away, leaving the general alone. The persons who were employed to convey intelligence, and sound the people, returned accounts that they generally expressed reluctance to be shot at and hanged, and would not rise until they saw decided prospects of success. These persons, in their heedless zeal, distributed seditious papers indiscriminately, and soon rendered secrecy out of the question. The violent alarm thus spread over the country operated as an added check, both to the peasantry and to all leading men who might otherwise have aided with their counsel and influence. The agitators presently also had the mortification to learn that one of their chief friends had abandoned them.

But they had one trust—they depended upon the success of Robert Emmet in Dublin, and reckoned with confidence on the results. For themselves there was no safety but in the field; and they strenuously urged those who could be prevailed upon to listen, to consent to rise when the account of Emmet's success should arrive. This promise none of their friends refused, for all considered it a safe one; and a general understanding spread to this effect. The two colleagues separated, and met with various incidents; but one event was common to both—they were informed of the tidings of Emmet's failure, and were under the necessity of concealing themselves, but in vain. We shall presently recur to the remaining incidents of their career.

We now return to the master-mind of the movement. Emmet's zeal, energy, and talent, had infused spirit into his immediate accomplices in the metropolis. He collected materials, and organised a system of not inadequate preparation, and arranged schemes of attack and simultaneous movement, which, had they been successful, must undoubtedly have caused much calamity, though it cannot considerably be affirmed that they would have ensured the prosperous issue of his undertaking. A house was taken in Patrick Street, No. 26, where a manufacture of arms and various combustibles was kept busily at work. Pikes to fold like the handles of a parasol, for concealment, and abundance of long pikes, were forged; rockets and grenades were made; hollow beams were filled with every missile of destruction, with gunpowder to give them murderous effect. With these, guns and blunder-



busses were stored, with other implements, for the various purposes of assault or obstruction. Among the several cross circumstances which frustrated these formidable preparations, the first was a frightful accident. In bearing materials from the furnace to the table, for the preparation of the rockets, the droppings of some explosive substance had been suffered to fall and concrete on the floor. A spark from the workman's pipe fell on this, and a tremendous explosion of the whole store of inflammable ingredients shook the house, and destroyed the floor on which they stood. One man was killed, most of those present frightfully injured, and great alarm communicated to the whole neighbourhood. Most unfortunately, the real occasion of the mischief was not suspected, though the police of the city (not then very efficient) crowded to the scene, and found scattered in confusion the plain-speaking evidences of some secret treason.

The effect of this disaster was, a great increase of vigilance in the indefatigable mind of Emmet. He now took up his abode wholly at the *dépôt*, where he watched the progress of the work, relieving himself by study, and taking rest, as nature required, upon a mattress on the floor. A few sentences, from a paper written at this time, and found in the room, not only convey with the most impressive truth the character of the writer's mind, but throw no feeble gleam of exposure on the conduct of his plans. "I have little time to look to the thousand difficulties which stand between me and the completion of my wishes. That those difficulties will disappear, I have an ardent, and, I trust, rational hope. But, if it is not to be the case, I thank God for having gifted me with a sanguine disposition. To that disposition I run from reflection; and if my hopes are without foundation—if a precipice is opened under my feet, from which duty will not suffer me to run back,—I am grateful for that sanguine disposition which leads me to the brink, and throws me down, while my eyes are still raised to those visions of happiness which my fancy has formed in the air." How strongly the inexpressible enthusiasm of the fanatic is drawn in this language! how still more strikingly the rashness and precipitancy of spirit that hurries to ruin, and will not damp its energy, or fret its impatience, by the deliberations and precautions that are essential to the success that depends on minute and complex details! Such a man might be efficient on the edge of battle, and lead the torrent of a rushing charge; but Emmet was engaged in a nice and delicately-framed system of arrangements, dependent on the most circumspect attention to the conditions of time and place. Such a project was easy enough to plan; and Emmet, so far, was no way deficient in contrivance; but, in his calculations, many elements were omitted. Like all ardent projectors, he could not allow for casualty,—he could not forecast the accumulation, however small, of errors, fears, and vices which must have part in such a tissue of minds and instrumentalities. Emmet has left an authentic detail of his whole arrangements, written with a view to vindicate himself from the reproach of an abortive plan. We can here only use it for a brief summary; but it is impossible to give that document\* an attentive perusal without feeling the want in its author of practical common-sense.

\* It is published in the Appendix to the Life of Curran by his son.

The three principal points selected for attack were the Pigeon-house, the Castle, and the artillery barracks at Island-bridge. An arrangement for the surprise of Cork Street barracks was also planned. Certain points from which effective resistance was to be apprehended were also to be occupied. These were chiefly the old custom-house, Mary Street barracks, and the corner house of Capel Street, opening on Ormond quay. For all these points strong bodies of men were severally allotted,—generally from two to five hundred. Houses were secured by hire or otherwise, and magazines of the most formidable description designed. In some streets strong lines of defence were planned, either by chains and cross-beams, or by overturning the neighbouring stands of hackney coaches. A line of streets (being the issues from Beresford Street) was to be thus occupied, to compel the king's troops to move towards the castle in the line on which the rebel forces were to be concentrated for their reception. As the army might still take different directions at Merchant's quay, there were preparations for assault in different turnings. All these arrangements were to be mainly of the same description—cross chains, and beams loaded with explosive ingredients; bodies of men in the houses, with fire-arms and grenades, and in the streets with pikes.

When the time drew nigh, the materials were found wanting, partly from the blunders of subordinate agents, and partly from want of money. In consequence of this, Emmet gave up all the points of his plan but the castle, and the lines of defence.

For the attack of the castle, the men were to assemble at the dépôt in Patrick Street. A house near the gate was to be obtained. The first step was to consist in the entrance of two job coaches, loaded with armed men, who were to step out and seize the guards. Should this stratagem fail, persons were to be ready, in the next house, to come down by a scaling-ladder from a window over the guard-house; and a fire was to be at the same moment opened on the gate from three opposite windows. An arrangement was made, in the expected event, to send off the Lord-Lieutenant and government officers, with the bulk of the artillery, to the commanding officer in Wicklow, where the tragedy of Wexford Bridge might have been re-acted on a magnificent scale, in case it should be found necessary to retreat. It is, however, not essential to particularise the events that were intended;—the actual result will clearly show what might have been expected from success.

Three rockets were to denote the commencement of an attack; a rocket with stars, to announce victory; a silent one, repulse.

But the beams were left,—some unloaded, some without wheels; the fuses were unfinished; the jointed pikes blown up; and other omissions and misfortunes rendered every detail imperfect. The appointed bodies of men did not come in. Some parties came too soon, and went off in time to save themselves and others. In short, nothing was ready, and all was in utter confusion; and as the counties were supposed to be ready for simultaneous action, the day could not be postponed. "Had I another week, had I a thousand pounds, had I a thousand men, I would have feared nothing," was the significant apology of Emmet. To this unfortunate madman it is but justice to

add, that, when the moment approached, and he saw that failure must be the inevitable result, he made such efforts as he could to prevent the rising.

But numbers of Kildare men had actually come into town; and though Emmet had the courage to rush upon a sea of bloody contingencies, he possessed neither the sense nor firmness to arrest the impulse altogether. He made an effort far less efficient than he seems to have assumed it to be to prevent the rising of the counties; yet, while he states this fact in his apology, and endeavours to vindicate his conduct, it does not appear that it crossed his thoughts how rash and criminal, on every account, was his next and last step. Having actually relinquished the objects of his enterprise, and exerted himself to arrest its progress, it seems strange and unaccountable to find him leading out a small and desperate band to waste their violence on peaceful men. He could not, under the circumstances, dream of any effective success consistently with any pretension to be qualified for command, nor with any knowledge of the rabble at his heels, could he have failed to see what was to follow. Any drummer-boy could have predicted the following incidents; but the sanguine temper, so truly drawn by his own hand, worked to the last; and this is Emmet's true apology. He then had upon his mind an impulse and an impression, not much differing from the illusion of monomania, that *somehow or other*, all would go well.

On the appointed day, numerous small bodies of men had come in and collected at the assigned points of mustering. These were, for the most part, dispersed by reports which were long attributed to cowardice or treachery, but which, by Emmet's own account, may be inferred to have been set in motion by himself. The money, required for some indispensable necessities, had not been obtained until five in the evening; and by the absence of the store-keeper at that critical moment, as well as from the want of arrangement, the whole materials and equipments lay in inextricable confusion.

About nine in the evening, when, by the plan, 2000 men should have been armed and at their posts, about 200 only came together; and a few more scattered bands, at different lurking corners, waited securely to see what turn the matter would take. The appointed signal was given. A rocket was seen to ascend from Mass Lane, and a disorderly and unarmed mob rushed together to the dépôt. There, guns and pikes were liberally dispensed to all who came; and there can be little doubt that many of the mere city rabble, whom the noise drew together, were tempted to take the weapons thus lavishly given away.

Among the tumultuous and confused uproar of people, scrambling for pike and gun, Emmet stood conspicuous in an attire not quite unsuitable to the occasion—the green and gold of revolutionary France. Stafford, Quigly, and Dowdal, his staff-officers, were similarly attired.

The arming was soon completed, when Emmet drew his sword and gave the word, "Come on, boys!" and marched off at the head of a small party of not quite a hundred men. The last division of his followers, to the number of 400, were to join him in Thomas Street.

In Thomas Street, Emmet was destined to learn a lesson in the laws of insurrectionary war which the history of a few previous years

should have amply taught him. The rabble, whom he conducted, soon showed the only purpose for which they were fit. A carriage driving through the street was instantly surrounded, stopped, and torn open, and a cry went through the crowd that they had taken the Lord Kilwarden. It was answered with shouts for vengeance from every tongue. His lordship, whose character had been made popular by justice and the most signal humanity, thought that the sound of his name would have been a safeguard among the people. He was, alas! mistaken—he had miscalculated the temper of the rabble, and the passions of human nature in their direst phase; or, more truly, he was in total ignorance of the true nature of the infuriated disarray that crowded round. He was not kept long in suspense. Torn from his carriage, he was pierced with thirty pikes. He is said to have been pressed by the blood-thirsty avidity of the crowd against a door, and, while writhing with numerous wounds, to have cried out in his agony for a merciful and deadly thrust to end his tortures. The patriotic apologists for this and such deeds have attempted to extenuate its atrocity by a story which has no true application here. The point of it is, to transfer the blame from the crowd to the vindictive recollections of one man. But the whole circumstances, however told, repel such a solution, and render it unnecessary. It is rather beyond the charity of history to vindicate the fame of the perpetrators of a foul murder. The animosity of one man can neither explain nor extenuate the scene. The unfortunate Lord Kilwarden was accompanied by his daughter, and his nephew, the Rev. Mr Wolfe. The daughter attempted to intercede for her father, and offered money. The ignorance as well as the brutality of the crowd were displayed in the reply: they “were looking for liberty, not for plunder.” She was pulled from the carriage, and ordered to take herself out of the way. Mr Wolfe thought to escape, but he was followed and put to death with pike-thrusts.

The time lost, and the notice attracted by these exploits, made it hopeless that they should succeed in an attempt to surprise the castle. To this main object of their meeting they were urged by their leaders; but the unfortunate Emmet must, at this painful and degrading moment, deeply and agonisingly have been awakened from his romance of patriotism to a true sense of the position into which he had so blindly rushed. His lofty dream of a band of patriots had terminated in a paltry rout of cut-throats—most probably the lowest dregs of the town—following the same old instinct of all such social insurrections, from the rising of Jack Cade to his own. The horrible exploit they had committed seemed to have roused their fury and self-confidence beyond the control of leaders. From killing the Chief-Justice, they naturally proceeded to break the prisons. They took the reins in their own hands, and marched off to the Marshalsea prison. Here they surrounded and slaughtered a corporal; but the guard, consisting of about eight soldiers, turned out in their own defence, and the rabble, with a cowardice worthy of the deed from which they came still reeking, gave way and retreated, leaving several rebels dead upon the street. After proceeding some distance, and an insignificant fray with the watch and some constables, they came into contact with a picquet of about fifty soldiers who were detached to meet them towards Thomas Street. On seeing



the military, the word was given to the pikemen to charge. The soldiers were ordered to fire; and, at the first volley, the rebels turned and fled with precipitation. This put an end to the affair: every one, leaders and men, turned to seek each his own safety as he might.

The leaders, Emmet and his friends, with a few more of their officers, took their road towards the Wicklow hills. At an early hour in the morning, they entered a farmer's house in Tallaght. They were in the highest spirits, and exhibited a levity of character little consistent with the disappointments of the night, or the horrors which had been perpetrated in their names, or even with the slaughter and capture of their wretched adherents. They played with their calamities with the heroism of *Sans Culottes*—not inaptly assumed the character of French generals—spoke gibberish to their entertainer—and evidently were happy at the risk they had escaped. How far the more ardent temper of Emmet was sustained by the same spirit, we have not the means to judge; we regret this, because we think that no moral trait should be lost of a story which ought to be so deeply instructive to Irishmen.

In the meantime, the *dépôt* in Patrick Street was found by the waste of arms and ammunition which lay strewed before the house since the previous evening, when they had been tossed out of the stores to the mixed crowd. There were found 8,000 pikes, with upwards of 36,000 ball-cartridges, rockets, grenades, scaling-ladders, and all other such implements of attack and defence. Emmet's papers were discovered, among which was a proclamation to the citizens, announcing freedom, and the end of British oppression. Preparations enough were also found to give a brilliant and imposing exterior to success. Green flags and uniforms were found in such abundance as the scanty finances of the conspirators, and the prudence of tailors, would afford.

It was now the remaining object of those who cared for Emmet, either from private regard, or the hopes of "another day," that he should escape from the kingdom. Emmet's fate was crossed by another ungovernable impulse, which his wayward and ardent temper had received in the course of the preceding incidents. During his retirement at Rathfarnham, he had found free access to the home and hospitality of Curran, and contracted a strong and reciprocated attachment with his daughter, Miss Sarah Curran. Such a proceeding, it must be admitted, was inconsistent with discretion and honour. It was clandestine, and under circumstances which should, on the part of Emmet, have suspended the prosecution even of an open and avowed affection. But it is the excuse of the lady, that she was young; of Emmet, that he was too sanguine to be considerate. She only saw the splendid mind, ennobled by aspirations, of the value of which she had no just conception; he looked forward only to success, which would repair the fault of a momentary deception. They stood, in the thoughtlessness of their young and inexperienced breasts, over an abyss of woes;—for her, broken-hearted agony, and a life of sorrow; for him, remorse and a violent end, unredeemed by any circumstance to adorn his memory.

While his friends were at work to secure his retreat, he could not resist the impulse to seek a last farewell. For this he returned to

lodgings which he had for some time previously occupied, in Harold's Cross. There, in August, he was taken by Major Sirr. Thus, a prisoner, his fate was fixed. There were in his case no alleviating circumstances. The rebellion, which he had made such exertions to excite, did not, like the former, grow out of any train of long accumulating causes—it was no operation of the madness of the time—it was the effort of a few individuals to renew and prolong the crimes and sufferings of a people exhausted and subdued in civil war. Its very failure was due to the apathy and prudence, the fear, and rueful experience of the country. The leaders, few and unsupported, were as children striving to keep up a play, when their seniors have grown tired of it. But it was a game for lives. There was no plea for Emmet but the deep spirit of Quixotism, which was interwoven with the bright and powerful qualities of his head and heart. He was a man who would have stood calm on the last fragment of Ireland, in the wreck of a dissolving world—whose passions and virtues did in nowise belong to the region of low-born realities in which he was lost. For him there was no redeeming angel in the furnace:\* his fate must be lamented, but it cannot be condemned.

On the particulars of his trial and death it is not necessary to dwell. His defence of himself is spoken of as a model of eloquence unsurpassed. It is impossible not to quote the concluding passage from the short speech he pronounced upon being found guilty:—"I have but one request to make, at my departure from this world—it is the charity of its silence. Let no man write my epitaph; for as no man, who knows my motives, dare now to vindicate them, let not prejudice or ignorance asperse them. Let them rest in obscurity and peace! Let my memory be left in oblivion, and my tomb remain uninscribed, until other times, and other men, can do justice to my character; when my country takes her place among the nations of the earth, then, and not till then, let my epitaph be written. I have done." There is a tradition, which is of doubtful truth, of a singular proof of indifference to the terrors of the scaffold† But there are some deeply affecting circumstances, which can only be recited and heard with pain, and on which we should not wish to dwell, but that a kind of justice forbids the omission of anything that can relieve the narration of so unfortunate a career. In the last hours of his life, Emmet evinced a high indifference to self, and an earnest and fervent care for the object of his latest affections, such as would have graced a nobler end. Nor is the anxious effort he made in that fearful moment, for the vindication of an imaginary honour, less indicative of a noble strain of character.

\* The reader may recollect the affecting lines of Mr Moore:—

"Thou hast called me thine angel in moments of bliss;  
Still thine angel I'll be, in the horrors of this;  
Through the furnace unshrinking, thy steps to pursue,  
And shield thee, and save thee, or perish there too."

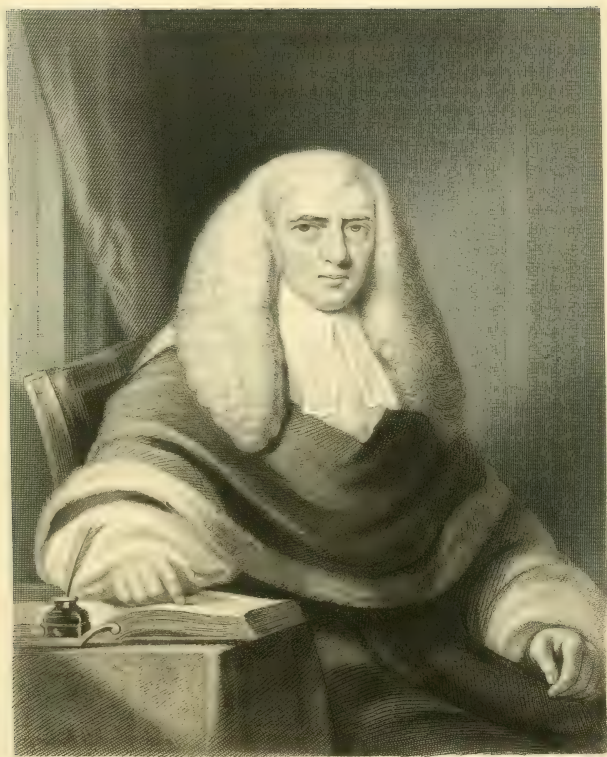
† When his head was severed from the body, the blood is said to have flowed from it freely, shewing that it had not with impulse of fear retreated to the heart. The face was placid with a sublime expression as the executioner paraded it before the people as the head of a traitor. It is said that the dogs lapped up his blood. When they were noticed and driven away, some people hastily dipped their handkerchiefs in it to preserve them as relics of Emmet.

When Robert Emmet was committed to prison, he called aside the jailer, and gave him all the money he had about his person, and entrusted him with a letter for Miss Curran, requesting its safe delivery. The jailer, as his duty prescribed, gave it to the attorney-general. Emmet ascertained the circumstance, and he immediately sent to the authorities to offer, that, if they sent the letter according to its address, he would plead guilty, and go to execution without a word; that otherwise, he would address the people. Of course, such a compromise could not be accepted.

Of the fate of Emmet's accomplices, it remains to say a word. Russel might, according to every account, have escaped. On learning the arrest of Emmet, he came to town, in the hope of rescuing him by some means. It is said that to the last moment Emmet thought the rescue of which he had received an intimation, might still take place. Russel was arrested by the active vigilance of Major Sirr. On his trial, he displayed the firmness and enthusiasm of his character. He vindicated his designs on a ground somewhat distinct from the principles of Emmet and other persons similarly engaged. He appears to have been strongly impressed with some fanatic notions, derived from his own interpretations of the Apocalypse, and to have looked forward to the event of revolution as part of the plan of Providence. He requested, on his trial, three days for the completion of a work on the subject. He was condemned and executed in Downpatrick. The same fate was shared by Drake and Currey, two of his accomplices. The rest were afterwards pardoned.

As we have frequently had occasion to make mention of Mr Russel, it may be worth mentioning, that he was the son of a respectable gentleman, an officer in the army, and afterwards master of the Royal Hospital at Kilmainham. He was himself early in the army, and served at Bunker's-hill. After the American war, he was placed upon half-pay, and became the friend and colleague of Tone. His leisure was for a time occupied in theological studies, for which his previous education had not prepared him. With a sanguine and gloomy turn of mind, he became a fanatic. Without judgment, knowledge, or any talent but that of language—a fluency the more prompt, because unconstrained by reason,—he naturally found his level in the councils of the ignorant enthusiasts who then gave their main impulse to the popular passions.

There was, among the persons whose names or deeds demand no separate memorial, engaged in these disturbances, a man of the name of Dwyer, who, at the head of a small but desperate gang of outlaws, had remained in arms, in the county of Wicklow, from the previous rebellion. This person was supposed<sup>a</sup> to possess an entire influence over the peasantry in that country: and overtures were made to him by the party of Emmet. He is said to have replied, that “he would not commit his brave men on the faith or good conduct of the rabble of Dublin: if, however, they could gain any advantage, or that he should see the green flag flying over the castle, he would be at hand to aid them.



MR. JUSTICE WILLIAMS





## ARTHUR WOLFE, LORD VISCOUNT KILWARDEN.

BORN A.D. 1739.—DIED A.D. 1803.

ARTHUR WOLFE was the eldest son of Mr John Wolfe of Forenaghts, in the county of Kildare. He received his education in the university of Dublin; and having been called to the bar, soon rose to eminence in his profession. In 1787 he was appointed solicitor-general—attorney-general in 1789. As first law-officer of the crown in Ireland, he was not less distinguished for his ability than for the humanity which obtained for him a well-merited and honourable popularity, won without any compromise of right or justice, and by no prostration of his abilities to the vices and follies of the multitude. Of this, many incidental proofs are recorded. In 1798, he was raised to the dignity of chief justice of the King's Bench; and, in the same year, created Lord Kilwarden of Newlands, in the county Dublin. In 1800, he was advanced to the peerage, as viscount Kilwarden of Kilwarden. In the next year, he was appointed vice-chancellor of the university of Dublin. The memory of Lord Kilwarden obtains its chief claim on our historical recollection by the event and the circumstances of his death, reflecting the highest honour on him, as it would dishonour—if they were not below the level of dishonour itself—on the wretched miscreants by whom he was murdered.

His lordship had been, since the former rebellion, known to entertain lively fears of assassination. When attorney-general, the mildest discharge of his duty had raised enmities against his person, which the duties of chief judge in a criminal court were not likely to diminish; and so much alive were his apprehensions, that, up to the last year of his life, from ninety-eight, he had continued to pass his nights in town, from the fear of some attack beyond its limits. His country-house was about four miles from Dublin, on the side from which the rebels were crowding in, on the 23d of July, 1803, from Kildare; and towards evening the family were terrified by a succession of alarming rumours. Either the accustomed fear returned to Lord Kilwarden's mind, or, as some have supposed, he was to attend a privy council; but he set out at a late hour of the evening for town, in a post-chaise, with his daughter and nephew, the Rev. Mr Wolfe.

They passed, without interruption or alarm, along the solitary roads towards the Kilmainham side of Dublin. On reaching town, he resolved on entering at the nearest point, from the impression that all danger of interruption would cease on gaining the more populous and public streets: hence, instead of entering by the barracks, he ordered his driver to pass through St James Street and Thomas Street, which were at the moment in the actual occupation of the rebels. It was ten o'clock, and, it is said, more than usually dark, as the carriage entered Thomas Street, about two hours after sunset. The rebels had at the time wholly thrown off all control, and were heated by several casualties, in which they had committed some unprovoked assassinations. The carriage was stopped within twenty yards of the entrance to

Thomas Street, and the party within dragged out. His Lordship's cries for mercy were disregarded; and a violent contention took place among the murderers, for the savage gratification of wounding him. One gentleman who was present was slain, in attempting to save him. His nephew was slain in an effort to escape, as has been conjectured, from his being found twenty yards further on. Miss Wolfe, allowed to escape, made her way to the castle; where she arrived, in a state bordering on frenzy, with the dreadful story.

It was at this time that, the alarm having been fully spread, some small parties of soldiers were collected, and brought forward to check the further movements of those misguided ruffians. They were in consequence suddenly alarmed, and compelled by their terrors to decamp. Some persons who had been terrified witnesses of the scene, among whom was at least one servant of his lordship, ventured to approach the bloody spot. They found him frightfully mangled, but yet breathing, and conveyed him to the nearest watch-house, in which, stretched on such a bed as the place afforded, he lived in pain for half-an-hour. While he lay contending with his mortal agony, and in this lonely and forsaken condition, a person who stood near him, roused to indignation by his pitiable state, exclaimed that he "hoped the assassins would be executed next day!" The truly noble reply of Lord Kilwarden was, "Murder must be punished; but let no man suffer for my death, but on a fair trial, and by the laws of his country"—words which, as Lord Avonmore truly said, "ought to be engraven on his tombstone in letters of gold, and which deserve to be transmitted to posterity as the motto of the family to which he was so great an honour, and so bright an ornament."

DR PATRICK DUIGENAN.

BORN A.D. 1735.—DIED A.D. 1816.

DR PATRICK DUIGENAN is said to have been the son of a peasant of the county of Leitrim. His parents are represented to have belonged to the Roman Church. His conversion, according to the same account, was due to a Protestant clergyman, who kept a school, and had observed his early signs of superior intellectual power. From the school of this gentleman he entered the university of Dublin, where he obtained a scholarship, and, in course of time, a fellowship. He took one of the two lay fellowships allowed by the regulations, and was called to the bar.

When Mr Hutchinson was appointed provost, Duigenan took an active and leading part in the manifestation of that discontent which was the general and just sense of the university on an appointment so inappropriate. Dr Duigenan displayed his strong but coarse satirical powers in a series of squibs and pamphlets; was challenged, and took the field with a loaded blunderbuss; which so astonished and alarmed the opposite party, as to put a quiet end to the encounter.

In 1785 he was appointed king's advocate, and judge of the pre-

rogative court; and in 1790 he was elected member of the Irish parliament.

In parliament he was distinguished for bitter animosity to the Church of his birth. This may be accounted for on grounds of public policy, as his having married a Roman Catholic lady, and kept a Roman chaplain for her in the house, tends to show personal liberality.

There is no doubt that his political conduct, both as a writer and as a speaker, was marked by a disregard of the forms of courtesy preserved by others. He did not wield the keen and polished scalping-knife of Grattan; nor could he, like Curran, sport in glancing discharges of wit. The doctor's mind was not more powerful to apprehend, than it was simple and earnest in the vindication of political opinions.

Dr Duigenan was no orator, but he was the next thing,—a speaker in earnest. He had much learning, sagacity, and experience. His principal effort in the Irish parliament was against Maynooth. He was fierce in his attacks on Grattan, and shared Lord Clare's unpopularity. Other men, less strenuous and less consistent, have had some admissions in their favour; and for others, their friendships have secured at least some partial courtesy. But Dr Duigenan's life and memory consist in a fierce and stout opposition to the popular parties in Ireland; and his name has passed into a by-word of reproach.

One of his most remarkable efforts as a debater was on the occasion of a bill proposed in the Irish parliament by secretary Hobart, February 1793, for the relief of the Roman Catholics. "He adopted that method which is still employed by some politicians, of exhuming all the immoral sentiments of the schoolmen, the Jesuit casuists, and the mediæval councils, and parading them constantly before the parliament and before the country. Against this system Grattan energetically protested. 'No religion,' he said in one of his speeches, 'can stand, if men, without regard to their God, and regard only to controversy, shall rake out of the rubbish of antiquity the obsolete and quaint follies of the sectarians, and affront the majesty of the Almighty with the impudent catalogue of their devices; and it is a strong argument against the proscriptive system that it helps to continue this shocking contest: theologian against theologian, polemic against polemic, until the two madmen defame their common parent, and expose their common religion.'"<sup>\*</sup> Dr Duigenan on this occasion disclaimed any personal hatred to the Roman Catholics, and gave his private relations as a proof. We may mention that the lady he married as a widow was the object of an early unsuccessful attachment. The writer just quoted ill-naturedly suggests that this marriage, instead of proving the Doctor's freedom from prejudice, may, on the other hand, have been the cause of his embittered feelings. The most remarkable feature of Dr Duigenan's career, next to his deadly opposition to the Roman Catholic religion, was his warm advocacy of the Union.

He rose to the stations for which he was, by his talents and attainments, highly qualified. He died in 1816, at which time he was a member of the privy council; judge of the prerogative court; vicar-

<sup>\*</sup> Lecky.



general of Armagh, Meath, and Elphin; king's advocate-general of the high-court of admiralty. He was also professor of civil law in the university.

He was a man of strong intellectual powers, and exceeded by none of the many able men of his day in those practical applications of reason which are called common sense, and which, as the word is generally, though wrongly, taken, deserves a better name. He was not possessed of genius, or of the lesser endowments which are considered as genius. He was not an orator, and had little command of the artifices of persuasion or sophistry, or of the flowers and graces which captivate the hearer's fancy. These endowments he did not possess, or much appreciate. He had a coarse mind, impelled by a sanguine temperament; and treated the arguments of his antagonists with scorn, without being even aware that he wounded their pride, and offended the taste of his hearers. But he was a man of the kindest nature, and we have no right to question his own assertion, that he was not actuated by any personal malevolence in his opposition to the Roman Catholics.

RIGHT HON. GEORGE PONSONBY.

BORN A.D. 1755.—DIED A.D. 1817.

GEORGE PONSONBY belonged to a family that, in Grattan's phrase, had "reigned in Ireland," rivalling in political power and influence the sept of the Beresfords. His father, Sir John Ponsonby, was a son of the first earl of Besborough, and Speaker of the Irish house of Commons; he resigned in 1771 rather than present the servile address to Lord Townshend, complimenting him on his corrupt administration. George, third son of the Speaker, was educated at Cambridge, and called to the Irish bar. Two years after, although very idle and much fonder of fox-hunting and politics than the drudgery of the courts, where he did not often appear, he was called to the inner bar by the Duke of Portland, who also gave him the appointment, worth £1200 a year, of first counsel to the excise. The Marquis of Buckingham, however, superseded him in this office by a member of the rival family, Mr Marcus Beresford, and from this time he went into opposition, and became a hardworking lawyer, in a short time rising into a great practice. It is a proof that he was a really first-rate lawyer that, notwithstanding their bitter opposition in politics, Lord Clare, when he was raised to the woolsack, gave Ponsonby his brief bag. In parliament his admirable speaking shone brightly from the high position he occupied as representative of the Ponsonbys, and he was an able and active ally of the popular party. He was generally a gentle drag on the wheel of his party, more moderate than most of those with whom he acted. When Mr Grattan was about to move his address in 1779, Ponsonby joined with Yelverton and others to dissuade him from such a decided line, and induced him to be satisfied with the ambiguous language of the address itself. Failing to move Grattan from his

resolve, he supported his amendment in its modified form. In 1782 he accepted the post of chancellor of the exchequer under the Whigs, but lost his office in the following year, when the king drove Fox from office, and made Pitt minister in spite of the House of Commons. Mr Ponsonby, from 1783 to the end of the Irish parliament, acted with the opposition.

In 1790, as counsel with Curran, he supported the claims of the Common Council against the Court of Aldermen, and received the thanks of the citizens for his able conduct of their case. In '98 he threw the responsibility of the rebellion on the minister who, by his bad government, had forced the people into a rising; and, in 1799, he was one of the foremost defenders of the constitution against the combined assault of the corruption and the power of Government. His speeches, particularly his attack on Castlereagh, were very effective. After the Union, he was elected member for Wicklow; and, in the Imperial Parliament, not only upheld, but increased the reputation that he had won in that of his country. His powerful connexion in England added to the natural weight of his abilities. In 1806, on the death of Pitt, he joined the new ministry as Lord Chancellor of Ireland. In 1807, he retired on a pension of £4000 a year. He then resumed his place in parliament as member for Tavistock, and was made leader of the opposition on Lord Grey refusing the post. Mr Ponsonby took a leading part on the Roman Catholic question; and in 1808 received the communication from Dr Milner on the subject of the veto, which gave rise to so much controversy. In 1810, he made a most able constitutional speech on the regency; and, had not the split taken place in the party, was to have been one of the principal secretaries of state in Lord Grenville's projected government. In 1813, Mr Ponsonby, jointly with Mr Grattan, brought in the Emancipation Bill that was so near passing, but lost—and the ultimate success of the cause delayed for sixteen years—by the folly of the Roman Catholic Board. The principal clause of the bill being negatived, it was withdrawn by Mr Ponsonby. In 1817 the severe labours of parliamentary life, and the long sittings which he was obliged to attend, as manager of his party, in the heated atmosphere of the House of Commons, and under the constant strain of political excitement and anxiety, broke down a constitution naturally strong. He was an ardent sportsman, and accustomed to constant outdoor occupation; and this sedentary life brought on apoplexy, of which he died in his sixty-second year, leaving an unblemished reputation and a great gap in the ranks of his party. The Roman Catholic cause suffered greatly by his loss. He was not, like Burke or Grattan, a man of genius; and yet, while alive, he occupied a higher position than either, and, in a question of choice, would have been preferred before them. But the great test of desert is in the lasting quality of fame—the really great man is often despised in life, but his name lives; his fame increases, instead of diminishing, as time goes on, and, like a star, it grows brighter in proportion as the past becomes obscure. This may not be said of Mr Ponsonby. He was a distinguished specimen of well-cultivated, well-bred, judiciously-employed cleverness, rendered illustrious by being bound up with the peerage and the landed gentry.

## SIR HERCULES LANGRISHE, BART.

DIED A.D. 1811.

IF we were to distribute our space in strict proportion to the intrinsic merits of the subject, not many of his eminent contemporaries might claim a fuller memoir than Sir Hercules Langrishe. During forty years, he represented the borough of Knocktopher in the Irish parliament, in which he sustained, throughout, a high character among the small knot of talented men with whom he was numbered. The few of his speeches which have survived, though spoiled and mutilated in the imperfect reports of that period, display the mind and powers of an orator of a high rank. He was a Whig in politics, and strove, according to the views entertained by his party, for the improvement and elevation of the country.

It would be a needless repetition to enter upon the numerous questions in which his talent and patriotism were signalised. He was not less respectable as a country gentleman, than distinguished as a public man. Having been for a considerable period resident in the vicinity of which he had been a conspicuous ornament—though long after his time,—we have personally been enabled to observe the recollections of affection and respect which have long outlived their object. His refined and classic wit—his social virtues—the happy and graceful facility of his pen—were remembered and praised by those who could well appreciate the better as well as the more brilliant qualifications of such a man. Some specimens of his poetry have been preserved, and may be seen in Grattan's *Life*, by his son. They display wit, character, and spirit.

Sir Hercules belonged to a day, and was one of the ornaments of a circle, which, for good or evil—its lustre or its darkness—the world is not likely soon to see again. It would scarcely be possible since Irish society has become a portion of English, and ceased to be a perfect system in itself, that so many persons, brilliantly endowed and so rich in the excellencies which give a charm to private life, should fall so closely into the same circle. The subject of this brief memoir; the late chief-justice Bushe, Grattan, Richard Power, whose mind, the seat of all refinement, obtained for him the appellation of "The Classic;" Sir John Power, whose fortune placed him in the centre of the circle, and whose head and heart adorned his prosperity, and would have dignified any condition; with many talented and worthy persons, not to be named, because their names belong to private life alone—were the individual components of a brilliant society, often brought together by the hospitality of Kilfane. In Kilfane, or at Knocktopher or Flood-hall, were frequently assembled, from every quarter, the grace, wit, poetry, and talent of Ireland, in her proudest day of talented men; and all that can charm and wing the hour—in itself too swift—combined to elevate and adorn the social scene. Happy, if such scenes were not as transitory as rare! and fortunate, if they over whom they breathe the fairest illusions of a world in which all is largely mixed with illusion,

are not lulled into forgetfulness of the realities which surround them and await them!

Sir Hercules was created a baronet in 1777. He was the first who endeavoured to obtain the relaxation of the penal statutes against the Roman Catholics, in 1792 and 1793.

He took a conspicuous part in the debate, in May 1782, on the duke of Portland's address; and in 1783, on Mr Flood's motion for reform. To reform, he was a consistent and steady opponent; and we think upon grounds justly applicable at the time.

Sir Hercules died in 1811.

## SIR PHILIP FRANCIS.

BORN A.D. 1740.—DIED A.D. 1818.

THE circumstance of this celebrated man having been born in Dublin and spending his childhood there, until in his tenth year he was sent to an English school, was all, besides his wit, that connected him with the country of his birth. In his sixteenth year he obtained a clerkship in one of the Government offices, where, by the influence of the elder Pitt, he obtained speedy advancement. In 1772, in consequence of a misunderstanding with Lord Barrington, he threw up the appointment he then held in the War Office, but after a brief interval devoted to travelling on the Continent, he was appointed one of the members of Council in the Government of India. His collisions with the Governor-General, Warren Hastings, whilst holding that position are more matters of history than of biography, and we can only here advert to the result, the duel in which Francis was severely wounded, and the resignation of his seat on the council, which was worth £10,000 a year. Upon his return to England, however, he had ample revenge in the impeachment of Hastings—of which he was the chief promoter—supplying information, and acting, in fact, the part of solicitor to the great case. It was proposed to put him on the committee by which it was to be conducted, but this the justice of the House of Commons refused, owing to his well-known personal enmity to Hastings. On the occasion of this proposal Francis himself made a speech of great power, remarkable for the characteristic combination of refinement, simplicity, energy, and point, which subjected him to the flattering imputation of being the author of "Junius's Letters." The arguments for this may be briefly summed: the similarity of style was too close to be accidental, many phrases, figures, and sentences being identical, or nearly so, in both; the character of Francis coincided with that displayed in the letters, the publication of which corresponded with his presences and absences. The only object of Junius's unqualified praise is Chatham, Francis's early patron, and the object of most unqualified abuse, descending to a level to which the Letters in no other instance sink, is a Mr Chamier, who was the man appointed to succeed him in his post of secretary at the War Office. There was also a minute knowledge of the events which occurred in the War Office, and in the office of Secretary of State, and the chief per-



sons connected with both during the time that Francis was employed in them. To all this, it may be added, that Sir Philip Francis was known to be the most prompt and able pamphleteer and newspaper letter-writer of his day; and that his hand-writing has been since compared with originals of Junius's letters preserved by Woodfall, and the similarity is most undoubted. The only argument on the other hand, is that their authorship was denied by Francis; but as it was undoubtedly denied by the real author, whoever he may have been, and it was quite consistent with the code of anonymous writing to deny it, and the suspicion was one calculated to be most injurious to a man in such a position and moving in high circles, though it might be earnestly coveted by inferior scribes, we cannot give any weight to this argument, except what the anxious deprecation of Francis's denial throws into the affirmative scale.

Sir Philip Francis was among the first projectors of the Reform Association, called the Friends of the People; his own disposition placed him by nature among the enemies of their rulers. It is said that he was once upon the point of being sent out as Governor-General of India, and the appointment would have been a curious experiment. In 1806, he was made a knight of the order of the Bath. The main subject of his parliamentary speeches was India; and in 1814, he retired from public life, disgusted at the little impression which the keenness of tongue and pen could produce against great wrongs. "My spirits are exhausted, and my mind subdued by a long, unthankful, and most invidious application to one pursuit, in which I have never been able to do any good." Such was his own verdict upon his efforts when seeking the repose of private life at the age of seventy-four, after thirty years of public contention. Francis lived four years to enjoy this well-earned repose; he died in 1818.

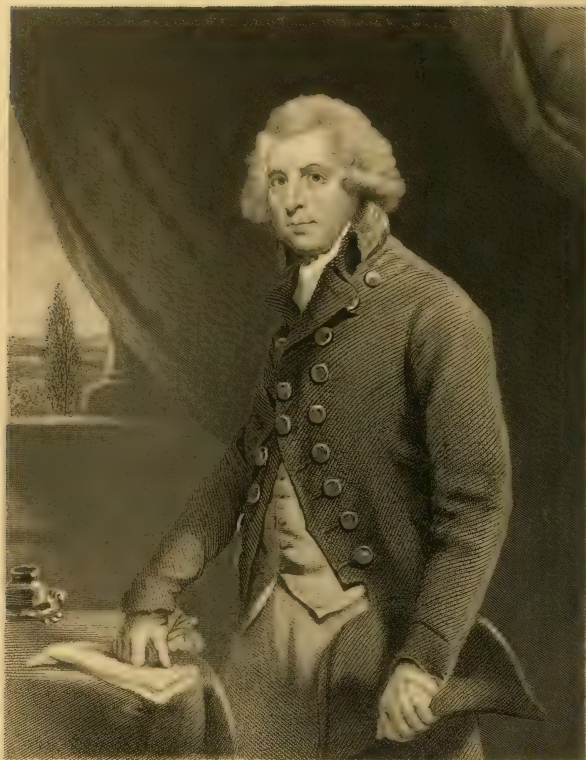
#### RICHARD BRINSLEY SHERIDAN.

BORN A.D. 1751.—DIED A.D. 1816.

THE history of the Sheridans would be a history of the social state of their times. Both the grandfather and father of the subject of our memoir were distinguished for their talents and attainments. The latter of the two was eminent as an actor, and married Miss Chamberlain, the writer of the well-known tale of *Nourjahad*, and other popular works.

Of this marriage, Richard Brinsley Sheridan was born in Dublin in 1751. In his seventh year he was sent to Whyte's school in Grafton Street. Here he was only permitted to remain for one year, at the end of which he was, with his brother Charles, removed to Harrow. At that eminent school, Dr Robert Sumner was then master, and Parr an under-master. It is said that these able scholars quickly discovered the early indications of talent in Sheridan, and exerted themselves to improve it. They found in him an aptness to learn, in a great degree neutralised by the idleness of an over-vivacious temper. He was a universal favourite among his school-fellows. He was mischievous and





*W. H. D. Jun*

full of pranks; but this disposition was qualified with so much wit and good humour, that he contrived to conciliate his masters into something very like connivance. The indulgence of his idleness was a great misfortune, as it prevented that steady application to learning which would have made him, with natural gifts of the first order, a great power in the politics of his time, instead of merely floating upon their surface without weight, and therefore without stability. Thus, also, a strong and craving vanity was early nursed, and became too prominently the spring and guide of his conduct, often leading him into degrading associations, and always giving a tinge to his character, which in some way seems to lower his most honourable actions. Anxious for admiration, and no less sedulous to maintain the reputation of a gifted idler, he gradually fell into a habit of secret study; and, by unobserved efforts, he made himself master of the principal authors read in schools. It is important to fix this feature of his character on the reader's mind, as one of the leading clues to much that is peculiar in his after-life. "To seem in all things superior to effort—to preserve the dignity of seeming indifference—to conceal failure, and magnify success,"\* are indeed common dispositions; and with these the heart that has been taught to live on the smiles of the world will become at last identified.

Sheridan continued at Harrow until he had attained his eighteenth year, when he was removed to his father's house in London. His father contributed greatly to his education, and perfected him in grammar and oratory. The removal of his family to Bath seems to have placed his genius in its more appropriate soil. His fine perceptions, and his disposition to satire, found ample food, in a place where the infirmities of human character flourish with their fullest luxuriance, and where, as in all such resorts of invalidated fashion, sarcasm and scandal make their favourite abode. Here he studied human life with the eye of a wit, and drew that knowledge of manners, and of human weaknesses and vices, which constitutes his genuine claim to the immortality of literature.

The removal to Bath took place in 1770. His father's connection with the stage brought the family into an immediate intimacy with that of Mr Linley, the celebrated musical composer. With his daughter, herself eminent as a vocalist of the first order, young Sheridan fell in love. Miss Linley was no less celebrated for her talents than for her beauty; and he had numerous rivals. She was the rage of the hour: the young men of the city were fired with admiration; and among Sheridan's rivals were many of his own friends. He courted his mistress, as he studied, in jealous secrecy; and while many preferred their suits, and were rejected, he alone passed without suspicion. No romance is more deeply diversified with crosses and constancy, than the history of Sheridan's courtship. We must here be content to select some incidents, too prominent to be wholly passed without note. Miss Linley had been proposed for by a Mr Long, a gentleman considered to have £200,000. He was accepted by her father; but was privately applied to by herself, with an entreaty that he would withdraw his suit. With a rare generosity, Mr Long not only complied, but took upon himself

\* Dublin University Magazine, April, 1837.



the responsibility of breaking off the match. Mr Linley took legal proceedings, and was indemnified with £3000.

Among the numerous incidents belonging to this portion of our memoir, there was one attended by very serious consequences. Among the admirers of Miss Linley was a Mr Matthews, a married man, who was intimate with her family; and who, presuming on her profession, began to persecute her with attentions which could only be received as insults. Repelled in these odious advances, he had recourse to menace; and she felt herself compelled to disclose the circumstances to her lover. His feelings need not be explained. He immediately proceeded to expostulate with Matthews; but his remonstrances had no effect. Terrified by such ruffianly and degrading importunities, and disgusted with a profession which exposed her to them, Miss Linley came to the resolution of flight. Sheridan, who it may be assumed was her adviser, borrowed the necessary means from his sister, and accompanied her. Her plan was to take refuge in a French convent. Of the achievement of this exploit we only state the main outline. The time was taken, when the family were engaged at a concert; and with a proper female companion, the fugitives made their way to London. There it naturally occurred that the only remedy for the dangers attendant upon such a step was an immediate marriage; and they were married accordingly.

The romance was not to terminate with the wedding. The mortified pride of Matthews could not acquiesce in being so frustrated by a rival whom perhaps he had too readily despised. He satisfied his angry feelings by calumnies and misrepresentations, some of which appeared in the *Bath Chronicle*. These found their way to Sheridan, who wrote threatening vengeance; and he shortly returned, with that purpose, to London. He found his way at a late hour of the night to the lodging of Matthews, and was for a long time detained at the door, on pretence that the key could not be found. When this artifice failed, he was at length admitted. Matthews met his remonstrances with an altered tone, and endeavoured to appease him. With this view, he had recourse to lies: he told him that the reports of which he complained were circulated by his own brother Charles, in Bath. Sheridan at once went off to Bath, saw his brother, and ascertained the falsehood of the assertion. Both brothers returned to London, and Sheridan immediately challenged Matthews, who showed no very keen appetite for cold steel, and many delays and changes of place took place on this meeting. At last they engaged with swords, in the Castle Tavern, Henrietta Street. They were not long confronted, when Sheridan contrived to strike his antagonist's sword aside, and running in, caught his sword-arm by the wrist. Matthews asked his life, and, after some efforts at evasion, was compelled to retract his calumnious statements in a writing which was inserted in the *Bath Chronicle*.

Matthews withdrew from the painful notoriety which attended this defeat, and attempted to shroud his wounded reputation in the retirement of his Welsh estate. He was, however, assailed by the condolences of some "damned good-natured friend," who soon convinced him that he might as well meet the sword of his enemy as the tongues of his neighbours. How long, or by what process of persuasion and

mortified rumination, the courage of Matthews was roused from its torpor, we are not enabled to state. His valour was screwed, we presume, "to the sticking point;" and he set off with his friend, once more to seek and brave the trial of cold iron. The parties again met, but with a different result. Unfortunately, Sheridan thought to conclude the affair as on the former occasion, by a *coup de main*, and rushed upon his antagonist, laying himself quite open. He was received on his adversary's point, and severely wounded. The sword coming against one of Sheridan's ribs, was broken; and the parties closed and fell, Matthews being uppermost. On the ground, a most brutal strife followed, at which the seconds appear to have looked on with blameable remissness. Matthews, after several attempts to wound his antagonist with his broken sword, recovered the point, with which he wounded him in the belly. He received a similar wound from Sheridan, whose sword was also broken. His second now called out, "My dear Sheridan, beg your life!" This advice was also repeated by the other second; for this seems to have been the etiquette of such encounters. "No, by G—, I won't!" was the reply. They now resolved to interfere; and the parties were, with their own consent, disarmed, and withdrawn from the scene.

The result was, that a strong suspicion of the fact of their marriage was raised; and Sheridan's father, still hoping to guard against such an event, sent him for a time upon a visit to some friends in Essex. The youthful pair continued to guard their secret, as, both parties being under age, they feared the marriage might be dissolved. Sheridan remained in this afflicting separation, of which the suffering was greatly augmented by the natural jealousy of his temper; and his painful apprehensions were increased by consideration of the peculiarly exposed condition of his wife.

After long and wearying endurance, and some stolen interviews, Mr Linley became convinced of the uselessness of any effort to separate them, and at last consented to their marriage. A second and more formal celebration accordingly took place, in the spring of 1773. The first step taken by Sheridan was, to refuse his consent to an engagement which had been made for his wife as a public singer. They retired to a cottage at East Burnham, from which they removed in winter to London. There Sheridan's wit and reputation for talent were set off by his adventures, and by the accomplishments and pleasing manners of his wife; and they were received into the best society. Sheridan now commenced his brilliant career as a dramatist. In the summer of 1774, he had finished his well-known comedy of "The Rivals," in which he seems to have taken some hints from his recent adventures with Matthews. The first reception of this comedy was not proportioned to the character it afterwards attained, and still bears. It came forth with the errors of inexperience about it, and, among other defects, had that least of all likely to pass the trial of an audience: it took four hours in acting—a test which few, if any, plays ever written would be likely to escape without some show of impatience. It was coldly received; but the prompt sagacity of the author took the hint, and, before the next representation, it was trimmed into more current form and dimension. It was then received with the favour due to its character-

istic power, and took its place as a stockpiece among the most popular plays in the language. Lydia Languish, Mrs Malaprop, and Bob Acres, will be national celebrities while our literature lasts: they have acquired an immortality which the dramatist only can confer upon his creations.

At this period, Sheridan was anxious to make his way into political life. He commenced by writing a reply to Dr Johnson's pamphlet, "Taxation no Tyranny." His indolence, in an effort for which he had naturally no vocation, was perhaps the cause of his not having completed it. The fragments published by his biographer do not display much of the talent required to combat such an antagonist on such a subject. It was with Johnson as a proposer that Sheridan became, not long after, a member of the celebrated Literary Club: he was proposed with the observation that "he who had written the two best comedies of his age, is surely a considerable man." This occurred in 1777.

Although he did not permit Mrs Sheridan to appear on the public stage, yet his circumstances were not such as altogether to dispense with the profitable employment of her singular talents. This was rendered the more necessary by the extravagant habits of life into which he was led by his social tastes and accomplishments. Private concerts were had recourse to, and in some measure assisted to supply the wants of their profuse living. Their house became for a time one of the gay centres of fashion; and if income was obtained from various sources, it went out something faster than it came in. But it was the season of youth, hope, power, high friends, and splendid attractions.

It is indeed a curious, but melancholy consideration, that now, even in the heyday of his life, when the path to fortune and the attractions of the world, in their brightest form and hue, seemed opening before him, and all was enjoyment of the present, and gay hope for the future, the causes of ruin had already sprung up around him, and were slowly, yet surely, preparing a future day of gloom and desertion. There is a strong and feeling contrast between the pecuniary embarrassment which was entangling him, and the festal abandonment of his home, and the brilliant increase of his fame. Those hours which were not engrossed by the serious game of politics, were devoted to mirth and frolic. Besides the social and convivial wit for which he is remembered, he was equally addicted to, and successful in, practical jokes; and of this many curious stories have been preserved by Moore and other biographers. By Moore we are told, that "he delighted in all sorts of dramatic tricks and disguises; and the lively parties with which his country-house was always filled, were kept in momentary expectation of some new device for their mystification or amusement."

"The Duenna" appeared on the 21st of November, 1775, at Covent-garden, and it ran for ninety-five nights. The merits of this celebrated opera are so generally known, that it would be superfluous to offer any criticism upon it. In the same year, Sheridan entered into a treaty with Garrick for Drury Lane theatre. Garrick was about to retire into private life, having realised an ample fortune. They had become acquainted at the table of Reynolds, and were soon, as they should have been, warm friends. Garrick seems to have thought that Sheridan's dramatic genius would give new life and success to the theatre, which

he for some years had found difficult to manage. Ten thousand pounds was to be paid by Sheridan. The sum was advanced by two of his friends, who were secured by mortgages upon his share in the concern. Mr Linley joined to the same amount, and Dr Fordyce to the amount of £15,000. The rest of the estate continued with Garrick's partner.

Sheridan was, as he said, resolved upon success; and he argued that because of this laudable resolution, success must be a consequence. Such a consequence must depend on means and causes, which are too often forgotten in the computation. Yet Sheridan had strong grounds for confidence: he possessed within himself a rich mine of wit and dramatic invention; and had not indolence, the thirst for dissipation, and the ill-regulated ambition which drew him into the field of politics, interfered to relax and counteract the bent of his mind, and divert his talents from their proper aim, we should be inclined to think that his expectations would have been realised. But in addition to these disqualifying tendencies, he was utterly without that commercial prudence, attention, and calculation, without which the most prosperous concerns will come to ruin. He had not a due sense of economy, or any apprehension of the real effects of debt. He spent profusely what he had, and what he had not, and seldom looked beyond the success or the triumph of the hour.

His first effort, the alteration of Vanburgh's comedy of "The Relapse," disappointed his friends, and was a failure; the "School for Scandal," however, appeared in May 1777, and made amends. For years, this distinguished piece eclipsed all other dramatic productions. It still holds its place at the head of the comic drama. Many things have been written or said, tending to diminish this praise. The pains it cost the author have been noticed; its moral has been assailed; and the very authorship questioned. On the latter of these points, we do not consider it necessary to speak; it is simply foolish. On the others we may make a few remarks, as it is on his dramatic achievements alone that the true fame of Sheridan must rest.

To say that any degree of slow and careful elaboration, by which the most consummate excellence of art can be produced, can diminish the praise of success, would display a misconception of what constitutes genius, and it involves a confusion between the ideas of excellence and rapidity, which latter is more frequently an indication and a result of mediocrity. The higher genius sets its aims the more difficult they are to reach, and the more pains does the artist bestow. Here then is evidently shown an inverse ratio between power and rapidity, so far as such inferences are to be allowed. As the standard rises, the labour of art becomes more and more infinite: mediocrity alone, aiming at little, soon arrives at its imagined perfection. If it may, with some speciousness, be replied, that in the actual instance under consideration, the application of this principle is not very precise—as promptness is essential to the merit of wit,—it would not be difficult to show the misconception contained in such an objection: it simply shifts the question from art to conversational power. The power is the same, but differently used: the same talent which can exhilarate and arouse the social circle by the rapid and rich play of point and allusion, contrast and comparison, is capable of the most unbounded elaboration, and is



subject to all the gradations of improvement. The same principle applies to all that can be done by the power of art. The highest aim prescribes the deepest elaboration, and no elaboration can create the power. "A thousand years of labour could not have enabled Hayley to write 'Comus,' or Cumberland the 'School for Scandal.'"<sup>\*</sup> The materials for this comedy seem to have been accumulating in Sheridan's mind from an early period of his life, and to a considerable extent are to be traced to the associations of his sojourn in Bath. The steps of its progress have been traced by Moore in details too long for this work, but curiously, and on a scale of unusual breadth, disclosing the secrets of the midnight lamp.

Much has been said of the defects in the conduct of the story or plot of this, as of Sheridan's other plays. The real interest of the "School for Scandal" is not properly to be sought in the plot, or in the progress of its incidents, but in the truth and happy boldness of the satire. We do not therefore concur in the criticism which has analysed a part of the design which had no existence. The truest and severest picture of the manners and morals of a time needs no aid from the common charm of the circulating library. But it challenges criticism on a different score—the moral perversion displayed in the brothers Charles and Joseph Surface,—in whose characters libertinism is adorned, and virtue degraded, so as to convey a corrupt and thoroughly false impression to the spectator. This cannot indeed be denied by the most practical critic, who is not ready to betray the most sacred duty of his office: and we must not only admit the severe strictures on the misrepresentation which is the signal stain upon this great masterpiece; but strongly, as is our duty, impugn the defence which has been set up for Sheridan, by his admirers. It has been defended by the assertion that there was worse before it, and that a service was done to morals, by the exposure of the hypocritical Joseph Surface, while the irregularities of his brother are set off by the bright example of his natural virtues. Were open profligates commonly persons of exalted worth, and were persons apparently of strictly moral conduct commonly secret villains; were such a transposition of the realities of human nature actually to exist, something might be said in defence of the representation. It would have at least the merit of truth, though it would unhappily be a better argument for vice than it has yet been able to find. But the hypocrite and the libertine are the creations of the dramatist: referred to reality, they are among the accidents of a vicious state of society, and not properly the subject of moral portraiture. In real life they may exist; but they are a morbid specimen, and should not be selected. The truth must be said: there was a state of society, when it was felt to be an object to sneer down religion and decorum, and to invest profligacy with the grace and dignity of virtue. The preposterous transfer was welcome to the gay and the vicious (the friends of the author), and was the honour and glory of the piece. It helped the cause of dissipation, and swelled the triumph of dice, drunkenness, and lewdness, against "grave advice with scrupulous head." Every one knows that the favourite cant of open profligacy is, the charge of "hypocrisy" against those who scandalise it by decency; and the effect of a contrast like

<sup>\*</sup> Dublin University Magazine.

Sheridan's, in favour of vice, must be, so far as it goes, to bring into disrepute all the higher moralities, and to shed a gay charm around the libertine. On the other hand, so far as the representation can be said to apply, it can have no effect whatever: the Joseph of reality still has his secret to himself. The profligate will wear the plume woven for him; but he is not bound to maintain a stock of concealed goodness, for some dramatic *dénouement*: he will be content, with Charles, to have credit for virtues on the score of profligacy and vice.

In 1778, Sheridan had made a further investment in Drury Lane, to the amount of £45,000. He had been reconciled with his father, and on this occasion used his newly acquired power to make him manager. It was hoped that the father's experience might compensate for the imprudence of his son.

Garriick died in January, 1779, and Sheridan attended his funeral as chief mourner. On this occasion he wrote the longest of his poems. Of his poetry, we shall say little in this cursory sketch. According to our estimate, his mind possessed no element of poetry, save rhetoric. As a poet, his best success is the ballad, in which point, sentiment, and a not unlyrical ear, combined in his behalf. This is sufficiently apparent in the songs of "The Duenna."

In the same year "The Critic" appeared, and to some extent maintained the reputation of Sheridan. But the difficulties in which the theatre began to be entangled were beyond the powers of prose or verse. His father was little competent, in his old age, to deal with perplexities which, in a far milder form, had been too much for the vigour of his youth. He resigned; and the plot began to thicken on the road to ruin.

But the gloomy chasm that was to swallow up the brightness of Sheridan's career was for many years to be concealed by other successes. His brilliant powers, all pre-eminently of the social order, had brought him prominently into the highest circles, and made for him friends of the leading Whigs of the time. It had long been the favourite object of his ambition, to try his fortune, and display his powers on the stage of politics. The friendship of Fox decided him.

To pass superfluous detail, he obtained his desire. He was brought into parliament as member for Stafford. A petition complaining of undue election gave him a favourable occasion for the display of his eloquence; but his *début*, owing to nervous excitement, was unsatisfactory. Such an impediment could not long retard powers of such an order; and though he prudently avoided committing himself for a time on great questions, he gradually convinced the house of his value.

The politics of Sheridan were not such as to demand our entering into the history of his time, or the questions which occupied orators and statesmen who then lived. It will suffice to adhere to a strict course of personal history. From the outset of his political life, he is to be seen as the friend and follower of Fox. While he mainly adopted the principles of that great man, and seconded the party movements of which he was the conductor, his own tact, address, and keen common-sense, enabled him to keep clear of many of the disadvantages of a violent popular faction; and he knew how to avail himself of the con-

nections thus obtained, to raise his own position, and win his way to favour. He thus found access to the Prince of Wales, and soon attained, by his wit and address, the confidence and companionship of his pleasures and amusements.

The reader is most probably acquainted with the general state of parties at the time: we have sufficiently described it in Burke's memoir. The country was menaced by the revolutions and disorders of the world beyond the seas, and these were supposed to be represented in the person and party of Fox. With this party the prince was for a time connected. They fought his battles, and swelled his state. His extravagance had led him into difficulties—his associations had involved him in the displeasure of the king, who hoped to break such alliances, and induce his heir to marry, by making it a condition of the payment of his debts. Such a compromise was rejected by the prince; and several years of painful disunion afflicted his father, and promoted the objects of his political friends, by making their talents useful. He was thrown into the arms of as debauched and unprincipled a set of projectors, parasites, and profligates, as ever degraded a court.

For Sheridan, as for Fox, it is to be said, that they were actuated rather by their own tastes and propensities, than by any low motive by which men are likely to seek favour in courts. However the friendship of the prince might appear to promise future political advantages, their own tempers, passions, and pursuits, were all in the same track; and the prince was not one to whom any companion could fail to become attached.

Through the whole of the protracted negotiations which were consequent upon the prince's difficulties, Sheridan was the nearest in his confidence—the partaker of his counsels and of his amusements. In this latter capacity, his spirit of mischievous frolic had ample range; and many stories are told of his exploits of practical humour. If the outbreaks of their gaiety were less equivocal than the nocturnal sallies of prince Hal, and the revelry of the Boar's Head, they were not far short in mischief, and far superior in wit. In that grave play of specious knavery, which mystifies the victim of a jest, Sheridan was unrivalled. Of this, the instances which have been repeated by numerous biographers and collectors of anecdote are numerous, and among the best of their kind.

The climax of his renown as an orator rose from the impeachment of Warren Hastings. It is needless to estimate the precise value of the praise his celebrated speech obtained: it answered the highest uses of praise to its object. His father died in 1788; and the attendant circumstances, in themselves unimportant, brought into evidence the natural strength of his filial affections. In 1791, he received a severer blow, in the death of his wife. Her health had been shaken by the heavy labours which she undertook, to regulate and keep order in the tangled engagements and perplexed affairs of her husband; in which she manifested the most admirable patience, industry, and talent. A cold, operating on a naturally delicate constitution, seems to have brought on her last illness. She received the most tender and assiduous attention from her husband, who sat up night after night by her death-bed. In 1795, he was again married to Miss Ogle, daughter to the Dean of

Winchester. His party at this time was crumbling away: the views they had espoused had begun to be exposed by facts; and a deep reaction, set in motion by the eloquence of Burke, was confirmed by events. Sober men began to shake off the revolutionary delusions of the day, and to perceive the importance of rallying in defence of institutions. Sheridan was not slow to follow the dictates of reason, and became for a time the object of reproaches to the leaders whose intrigues for place were defeated by his address. In 1798, he brought out "*Pizarro*"—a well-known adaptation from the German of Kotzebue. In 1804, he obtained the receivership of the duchy of Cornwall, from the Prince of Wales, "as a trifling proof of that friendship his royal highness had felt for him for a long series of years."

In the autumn of 1807, he entered into a treaty with Mr Jones of Dublin, long well-known to the Irish public as the spirited proprietor of Crow Street theatre. It seems to have been a part of the agreement, that Sheridan should write a play within the given time of three years. This agreement was arranged in the form of a bet for 500 guineas, which was agreed on by the parties in presence of Mr Richard Power and Mr Beecher, who joined in the bet.

As we have already intimated, Drury Lane theatre had, from the beginning, been a source of embarrassment and extreme annoyance to its proprietors. The petty squabbles of the company of actors and actresses, the accumulation of debts, the doubtful and controverted rights, and the occasional lawsuits to which they gave rise, became too much even for the natural *insouciance* of Sheridan. This state of things was aggravated by an accident. He was attending a debate, when word came that the theatre was on fire. He left the house, and proceeded to the scene, when he witnessed with surprising calmness the destruction of his whole property.

In 1811, the arrangements for rebuilding the theatre were complete; among these the interests of Sheridan were attended to. He was to receive £20,000, out of which different claims were to be satisfied. It was also a stipulation, that he should have no concern or connection of any kind with the new undertaking. Such a condition strongly indicates the impression which existed as to his utter unfitness for any concern in the conduct of business. In truth, with every kindly, amiable, and generous impulse, he was incapable of bringing home to his mind the urgent sense of duty, of right, or of obligation, or any of the principles which are essential to the whole commerce of life. Such considerations were, in a mind of which *buoyant levity* was the characteristic quality, only known as elements of rhetoric, and the flourishes of sentimental poetry. Moore's observations on the transaction here related, are too important in this point of view to be omitted. Having mentioned that the adjustment of the affairs of the theatre were undertaken by Mr Whitbread, he proceeds; "It would be difficult indeed to find two persons less likely to agree in a transaction of this nature,—the one, in affairs of business, approaching almost as near to the extreme of rigour, as the other to that of laxity. While Sheridan, too, like those painters who endeavour to disguise their ignorance of anatomy by an indistinct and fuzzy outline, had an imposing method of generalising his accòmpts and statements, which to most eyes (and most of all to his



own,) concealed the negligence and fallacy of the details; Mr Whitbread, on the contrary, with unrelenting accuracy, laid open the minutiae of every transaction, and made evasion as impossible to others, as it was alien and inconceivable to himself." The light, inconsiderate, and volatile frame of Sheridan's temper was as a butterfly impaled upon the needle of the artist—writhing and fluttering to escape to his zephyrs and his flowers. Mr Whitbread did not comprehend the levity and the ingenuity that would load to-morrow with calamity and ruin, to make to-day run smoothly; and this was the life and soul of Sheridan. On Sheridan's part, the collisions which arose in their proceedings were embittered by distress and wounded pride.

Among these annoyances, one alone requires our immediate notice now. He applied for an advance of £2000, for the purpose of securing his election for the borough of Stafford. But as this advance would have been premature, and anticipate the state of his accompts, it was refused. The refusal was perhaps harsh, but it was strictly right, and was peculiarly the result of Sheridan's own conduct. It is one of the cases in which opinion is seldom just, and in which justice is sometimes difficult.

In looking back on the history of men like Sheridan—so light, brilliant, and unfortunate,—we cannot help seeing through the light of these consecrating recollections which follow departed genius. There was nothing in poor Sheridan's character to command either the respect or sympathy of men of strict principle and sober conduct. But it was nevertheless a blow that gave the last sad impulse to his declining career. The dark spirit of ruin, to which he had sold his life, had followed his progress through court, and senate, and stage, with invisible steps, but steady malignity of eye: it now began to tread closer on the heels of the victim, and to claim the fatal price. The known prospect of £20,000 was a dangerous signal to his creditors. The precise detail of the state of his affairs at this time, we have not been able to learn; nor is it further important than the general fact: he was involved beyond his means in debt,—though it is mentioned that there was still some balance remaining over and above the debts, to which he was rendered subject by the arrangements of the committee for the management of Drury Lane.

We must here, in passing, say that we wholly disagree with the comments of some writers who throw the blame upon the neglect of his friends. It was the inevitable result of his own conduct, of the position in which he had placed himself, and of the degrading changes which he had undergone. It is not by darkening the reputations of others that a great man's memory is to be redeemed from censure.

During the closing years of his life, changes had been taking place in Sheridan, consequent upon his habits, which were such as to wear out the very bonds of the nearest relations of life, and which must have rendered him less the object of sympathy, and entirely cancelled the common claims which pass for friendship in the world. It was felt to be past the reach of all effective kindness to raise him from a condition, not more ruinous from its actual amount of evil, than hopeless from the increase of those infirmities which brought it on. He was in head and heart, mind and body, fallen from his height, such as it was—that of a

wit—an ornament in the polished circles, a contributor to the amusements of the gay, and whatever value will be claimed and conceded for his political life. All this was gone. And though it may so appear in the rapid transition of a brief memoir, it was not the change of an hour: he had been long working a downward way. Any one characterised by the tenth part of his folly, and without the brilliant energies which upheld him for an interval of forced elevation, would long before have been consigned to a charitable oblivion. He was felt to be incorrigible in the infatuation which “made him poor,” and would “keep him so to the last.” With a fair allowance for such considerations, it ought to be neither matter of wonder nor blame that his friends had become alienated from one whose ways were become incompatible with respect or with the habits of polished life—that he came only to be tolerated in regard to past claims. “The ancients, we are told,” writes Moore, “by a significant device, inscribed on the wreath they wore at banquets the name of Minerva. Unfortunately, from the festal wreath of Sheridan, this name was now too often effaced.” This is gracefully said, and it became Moore to cast a flower where a harsher hand would fix a sterner mark; but the translation of this poetic language was that Sheridan had sunk into a habitual and confirmed drunkard. In some, caution, in some, their place in society, in some, their great insignificance, might enable them to retain for a time the countenance of their worldly acquaintances, in spite of such a degrading habit. Much is endured, because it must be endured. But poor Sheridan had lived on the admiration of society: he had been cultivated by the *inclinations* and the *sympathies* of men. With all his amiability, and the *prestige* of reputation, he was felt to have become disagreeable and disqualified, as much for the adornment of society as he had always been for its affairs. No kindness could sustain him above the level he had found for himself.

But there is another consideration, before reproach against his great friends can be admitted to be just. It should have been fairly noticed, that the destitute state of his finances could not have been known. He was nominally in the possession of several sources of income. It was only known that he was embarrassed, and that, with the possession of any assignable estate, he would be embarrassed still. The prince had been munificent, and a patent office had apparently secured enough for moderate desires. The numerous anecdotes told by Moore and others, could we here avail ourselves of so detailed a method, would amply attest the justice of these remarks.

Sheridan had one kind and invariable friend, who never deserted him, or lost sight of his interest. It was the Prince-Regent. But his habits of debauchery and indolence, as they disinclined him to appear at court, prevented his presence being sought, and at this neglect, as it was considered, his pride took umbrage. He became pettish; and his friends, who did not look beyond him, naturally resented his imaginary wrongs. Party perverted the circumstances for the purpose of calumny against the Prince-Regent. And thus it was, that when the character and pursuits of poor Sheridan had become such as made it impossible for any person of rank to be his associate, or still less for the prince to seek him out in haunts beyond which he had in a great

measure ceased to exist—when he had fallen into such a condition that he could not be trusted a few hours to his own discretion—when he himself, with some natural consciousness of what he was become, avoided the society of which he had once been the ornament—he drew upon himself the neglect which he courted and resented. When a man loses sight of his own dignity and interest, it is frivolous to demand that he is to be held up by others. Besides, he had himself severed the ties with his political friends. It is with some remorse that we follow the dictates of justice, in endeavouring to transfer a little misplaced censure to the proper scale. We participate in the common prejudice which demands somewhat of tenderness towards the infirmities of men like Sheridan. His hapless decline is indeed a theme to awaken the most painful sympathy. One asks with sorrow and indignation, Was all this talent, spirit, amiability, success, to terminate thus? How brilliant the ascent!—fame, fortune, public admiration, princely favour! How sad the descent!—embarrassment, poverty, degradation, and neglect! The mortifications aggravated by the most brilliant recollections, and embittered by the pride of a spirit still lofty in its ruin.

In 1815, a disorder brought on by continued intemperance became confirmed and incurable. His powers of digestion were gone; but his native strength of constitution prolonged the struggle with disease. He nevertheless rapidly lost strength, and in the spring of 1816 was entirely confined to his bed. It was in this condition that his dying bed was harassed by the demands of creditors. His house was beset by the bailiffs, and he was compelled to seek aid from his friends. Liberal assistance was offered by the prince-regent: it was refused, either to satisfy the pride of Mrs Sheridan's relations, or from a more respectable feeling. His distress was not such as to be admitted without something of shame. And we feel also bound to say, that some of his biographers, in relating his pecuniary transactions, have been so much enchanted by their sense of wit, as to overlook the real and essential character of very equivocal transactions.

But to conclude. Sheridan was arrested in his bed; and after keeping him a few days in terror, the bailiff was only prevented from removing him by Dr Baine, the physician who attended him. The bishop of London happening to learn of his dying state, sent an offer of his attendance, which was gladly accepted. Sheridan joined in the bishop's prayers with fervour, and appeared to have received much comfort. He died without a struggle, July 1816. He was interred in Westminster Abbey.

#### GEORGE TIERNEY.

BORN A.D. 1761.—DIED A.D. 1830.

GEORGE TIERNEY's father was a native of the county or town of Limerick. He became a prize-agent in Gibraltar. There his son was born. He received his education at Cambridge, and is said to have been designed for the legal profession. His course of life was altered by the death of his elder brothers, which made him master of affluence.

He selected the House of Commons for his scene of exertion, and obtained his election for Colchester. In parliament, his distinguished powers of sarcasm and sneer—his prompt shrewdness, and fluent command of a plain colloquial idiom, most adapted for the application of those powers, made him an adversary not much to be desired. He was remarkable for his power of caricaturing the arguments he wished to decry; and, as with most persons ridicule is more effective than reason, he was thus most formidable in the ranks of opposition, for which his mind was pre-eminently adapted.

In 1798, having been accused by Mr Pitt of an opposition to "the bill for stopping seamen's protections, from a wish to impede the service of the country," a challenge and a duel ensued. They met, and fired two cases of pistols on Putney Heath, but with no result.

Tierney took office as treasurer of the navy in Addington's administration—and once more, after the death of Fox. There is, however, little ground for any exception to the general statement, that he was a steady and consistent opponent to all government measures. It would be unfair to assert that he had not a sincere political creed, to which he conscientiously adhered; but there was much in his tone, manner, and public habit, to suggest the idea of vexatious opposition. This is perhaps chiefly suggested by the very artificial character of his manner of statement and reasoning: his points were too commonly shrewd appeals to prejudice and ignorance, too often merely wit. His style was very colloquial and full of withering sarcasms, which fell from his lips with such an appearance of being accidental and unpremeditated, that the effect of a surprise was added to every point. He had also considerable power of travestying the arguments of an opponent.

Tierney again took office under Canning in the capacity of master of the mint. He died suddenly, January, 1830.

## RICHARD, EARL OF DONOUGHMORE.

BORN A.D. 1756.—DIED A.D. 1825.

WE have already had to notice John Hely Hutchison, the father of the first Earl of Donoughmore. This nobleman graduated in the university of Dublin; and became, when of age, a member of the Irish parliament. He attached himself to the whigs, and took a leading part in the great prolonged struggle for Roman Catholic emancipation. With respect to his personal character as a politician, there is all reason to believe that he had in every act the good of Ireland at heart.

In November, 1797, this nobleman was created Viscount Suidale; and in 1800, Earl of Donoughmore. In July, 1821, he was created Viscount Hutchison, in the peerage of Great Britain. He was a Lieutenant-General in the army. He never married. His death occurred August 25, 1825.



## ROBERT, MARQUIS OF LONDONDERRY (LORD CASTLEREAGH).

BORN A.D. 1769.—DIED A.D. 1822.

THIS eminent nobleman was the son of the first Marquis of Londonderry. He was educated at Armagh, and sent to Cambridge in 1786. He was early remarkable for the grace and suavity of his address; and no less so, for the cool intrepidity often so usefully displayed in his political life.

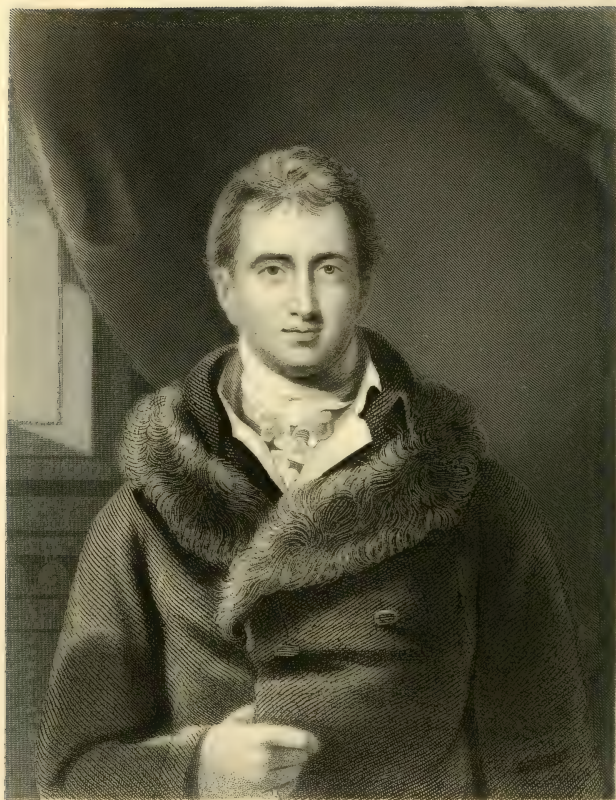
On attaining majority, he stood for the county of Down, and was elected. He commenced his political career with the popular party.

His *début* in the house, on which occasion he spoke for the right of Ireland to trade with India, in disregard of the chartered rights of the company, was successful. He was then so decided in his democratic leanings, that he presided at a public dinner, where the seditious toast, "Our sovereign lord the people," was drunk. He supported the cause of parliamentary reform, and railed as stoutly against Government as any of his party. But although we have no record by which to follow him in the change which soon occurred in his opinions, we can easily guess how it was probably brought about. At a time when such men as Grattan felt themselves forced to draw to one side out of the swollen and angry current of what had once been progress, but was fast becoming treason, it was most natural that a young politician, who had only barely joined it, should also withdraw from the popular party. No man could be more naturally unfitted to participate in the insane outbreak to which the United Irishmen were leading on the people. It was impossible to imagine the distinguished, calm, unenthusiastic Castlereagh playing the furious schoolboy part of a Lord Edward Fitzgerald or Archibald Hamilton Rowan. The court-sword of Castlereagh's intellect would have been singularly out of place marshalling the pikes and pitchforks of an Irish rebellion.

In 1798, it will be admitted that little doubt could remain as to the real course of events. He then took the office of secretary under Lord Camden. It will be sufficient to say, that having engaged on the side of Government, he gave the whole force of his activity, talent, and address, to save the country, and put down an awful rebellion.

It would be well for Castlereagh's fame had his connection with Ireland ceased with its subjugation, in 1798. The cruelty with which that result was accomplished appertains to a great degree to the reputation of Lord Chancellor Clare, not to Castlereagh, and would have left little stain upon his memory compared with the political villany by which the union was accomplished. The country lay helpless at the feet of a victorious Government: Roman Catholic and Protestant divided by deadly hatred, had lately been cutting each other's throats, and could not be expected for many a year to come, as it happened for the better part of a century, to unite in any cause, however much it might be the cause of both; the protestant population was more resigned than at any previous time it would have been to throwing itself into the





*Cartwright*

arms of England: the Roman Catholics were reckless, and since they might not have their own freedom, glad of an opportunity of helping to spoliage the English and protestant section of its independence; the great patriots, guardians of the national rights, had retired from parliament, and the road seemed to lie open and unguarded to a raid upon the constitution of Ireland. In the first attempt, however, unexpected difficulties rose up on the path of the ministry. But Cornwallis, Clare, and Castlereagh were a triumvirate not easily to be discouraged or resisted, and they were directed in their task by the genius and determination of Pitt. The first step was the publication of a pamphlet by Mr Edward Cooke, under secretary of the Civil department, which was published anonymously, and intended to act as a feeler, and prepare public opinion. This came out whilst the land was still smoking with slaughter; and though it gave rise to violent controversy, was received with less indignation than it would at another time have aroused. Of course public men were soon obliged to take sides on such a question; and the consequence to the opponents of the measure who were in any way dependent upon the Government was the loss of pensions and places. Sir John Parnell, chancellor of the Exchequer, and Mr Fitzgerald, the prime sergeant, were amongst the first examples of the stringent manner in which the Government meant to deal with the question. At a meeting of the bar, the only influential and independent body in Ireland from which Lord Castlereagh had to dread much difficulty, the discussion and division upon the union showed 166 against, and only 32 in favour. To judge the latter by the positions of honour and emolument they soon afterwards attained to, they must have been a very distinguished minority. Their honours included twenty-three judgeships, and other valuable places. Many important meetings besides this meeting of the bar, declared as vigorous a public sentiment against the suggested measure, but notwithstanding these expressions, the coming event itself soon followed its shadow; in the address from the throne at the opening of parliament, in January 1799, the legislative union was proposed under the usual softening veil of official language as a measure for "consolidating as far as possible, into one firm and lasting fabric, the strength, the power, and the resources of the British empire." The address was carried in the Lords by a large majority, but the real fight lay in the lower House. There Lord Castlereagh boldly cleared up the ambiguity of the message, and declared that although doubtless the address did not pledge them to the means by which the royal wishes were to be accomplished, it was his intention at an early day to submit a motion to the House on the subject of a legislative union. Ponsonby, Parsons, Barrington, and other foremost men exposed the method of the Government, denounced the time, and endeavoured to bar all weighing of advantages and disadvantages by the *non possumus* argument, parliament could not give up what resided not in itself but in the people. The nation had sent it there, and it could not take from the nation the power of electing and sending another parliament to deliberate in its place; it could only dissolve itself. Lord Castlereagh, feeling that the debate was going against him, interposed. He spoke with a distinguished frankness of manner which some great statesmen have been able to assume with so much success.



He hoped that personal motives would not turn away members from their public duty of supporting the measure; he urged the end that it would put to the division and turmoil of which Ireland was so weary; and he promised that it would bring English capital to an impoverished land, and create a class of English and Scottish middlemen who would weld together the upper classes and the lower by forming a connecting link, and teaching them to love one another. He was followed by Plunket in a great speech, and in the close of the debate had only a majority of *one*, which was obtained by one of the *noes* pretending falsely that he had accepted a place equivalent to the Chiltern Hundreds—the escheatorship of Munster. Another member is said by Sir Jonah Barrington to have been bought by Lord Castlereagh on that night, under the very eyes of the House. He certainly declared that he was going to vote against the Union, but after some message had been carried by Secretary Cooke between him and Lord Castlereagh, it was understood by the House, from the looks that were exchanged, that a bargain had been struck, and in confirmation of this the member shortly after rose to say that he had spoken without sufficient deliberation, and had altered his mind. It was in this way that the majority of one was achieved, but of course it was looked upon by the public as equivalent to a defeat. Pitt himself, we know, considered a majority of fifty necessary for the ultimate carrying of the measure; but even to sustain the Irish ministers in their places, it was necessary to get a better vote from the House, if possible, as it stood.

A second debate was brought on upon accepting the Address, but the result was a majority of six against the Government. This, in spite of Secretary Cooke's seductions, was probably owing in a great degree to the debate itself, in which the balance of reason and eloquence was considerably upon the side of the Opposition. There was a very bitter passage of arms between Castlereagh and Ponsonby, in which the former put out powers that he had not been known to possess, and was severe to a degree that ministers seldom dare to show themselves. But again the terrible shadow of Plunket fell upon him; this Ajax of debate made a direct onslaught upon the minister whose strength was weakness in such an unequal encounter, and who for the first time was observed to quail. Of course the public joy and congratulations were unbounded; but while the ministers were indignant, and Lord Clare gave the people a lesson not to rejoice too much, by sending out a party of military to fire, without any provocation, and without magistrate or riot act, upon the exulting crowd in one of the main thoroughfares of Dublin, the temporary reverse only gave temper to their resolution, by any means to carry their measure. A plan was devised by Pitt to gain over a small but influential class, the owners of boroughs, by treating their patronage as a marketable commodity, and appraising the value of a borough at £15,000. By this means, besides gaining over some powerful territorial influence, the borough votes were also converted. Either the patron's wishes were conformed to by his nominee, or if the latter was an honourable man, they felt bound to take advantage of the place bill lately passed by accepting a nominal office. The vacancies thus created by those who felt that they could not remain in parliament and vote against their patrons, were filled up

by creatures of the Government, or Englishmen and Scotsmen who had no connection with the country. Mr Cooke, the under-secretary, was diligently at work, under Lord Castlereagh's directions, in sounding right and left, trying the ground, and offering bribes. Lord Cornwallis made a tour amongst the corporations, and gained the valuable signatures of some rebels who were shut up in prison, by offering them their liberty as a reward. The Lord Chancellor did the intimidation; he was the grand inquisitor. A book was kept at the Castle by the arch-conspirator, Lord Castlereagh, who entered all the results. The list of members of the House of Commons, with their prices attached, is historical; it is given by Plowden and Barrington. On the side of the Opposition a fund was raised which reached, we believe, the sum of £100,000, to counterbalance the corruption of the Government. This was not only unworthy of the honesty of the party, but it was the merest folly to hope to be able to bid up to the Government, with its unlimited powers of reward and punishment, its patronage to be bestowed or withdrawn. To work a countermine against such resources was indeed absurd; there were ships for naval officers, regiments for military, judgeships for lawyers, pensions for non-professional men, titles for the ambitious (about forty were given away altogether), and a million and a-half of ready money for the purchase of seats for those who liked a good round sum down on the nail. For the Orangemen there was the security which would be gained for the church and Protestant institutions in Ireland by immersing the Roman Catholic population of Ireland in the general population of the empire, which seemed an easy trick by which to juggle away the ultimately dangerous fact of a Roman majority; for the Roman Catholics there was protection from the Orange section, the prospect of concessions from the greater liberality of an English parliament, and the revenge of depriving the Protestants of their exclusive legislature. So everything worked satisfactorily; and on the meeting of parliament in the (for Ireland) famous year of 1800, Lord Castlereagh gained a majority of forty-two in the battle which inaugurated the session, in which Grattan made his unexpected and startling appearance like a man called out of his grave by his country's extremity. After this there was little change, for all the arts of bribery and seduction had been expended, and men were set in battle array. But few votes changed to the end of the struggle. On the 15th of February the measure of the Union was formally brought forward by Lord Castlereagh in a speech of considerable length, in which he asserted that the majority of the people were in favour of it; and he openly offered compensation to those whose interests were affected. The majority for the Government on this occasion was forty-three. This was, in fact, decisive. The large military forces in occupation of the country were used to prevent even a peaceful expression of opinion. Over the heads of the people of Ireland their constitution was being sold, but they were powerless even to utter a protest. Dublin was strongly garrisoned. Military occupied the streets and approaches to parliament, and Castlereagh threatened, if any strong spirit against the Government members made it impossible for them to consummate their bargain in the capital, to remove parliament to Cork. After the measure had been debated in the English parliament, Lord

Castlereagh introduced a bill for regulating the elections, by which the representation was limited to the number that Ireland was to send to the imperial parliament. And on the next day after the passing of this bill, he brought in the Act of Union, and leave was given for its introduction by a majority increased to sixty. His manner in moving the third reading is thus described by Sir Jonah Barrington:—"Unvaried, tame, cold-blooded—the words seemed frozen as they issued from his lips; and, as if a simple citizen of the world, he seemed to have no sensation on the subject." Of course, when the question was put from the chair by Mr Foster, the speaker, who was one of the most earnest opponents of the measure, there was no question that the 'Ayes' had it. It only remained for Lord Castlereagh to bring in the compensation bill, by which £15,000 was awarded to each patron of a borough for the loss of this source of wealth, and with a not uncharacteristic act, the last Irish parliament terminated its own existence. There is much to be said in extenuation of Lord Castlereagh's manner of carrying the Union. From *his* point of view the end was righteous, and the means sanctioned, if not sanctified, by custom and precedent. Men of the world take their measures of right and wrong from man's judgment, and not from any religious or abstract standpoint; and there can be no doubt that, even in the day in which we write, the guilt of political corruption is not established in the mind of mankind in general: scarcely any one has such fine perceptions as to perceive it so clearly as the guilt and disgrace of dishonesty in private transactions. But in Lord Castlereagh's day Sir Robert Walpole's example was not far removed; and corruption had been the habitual mode of carrying on his Majesty's Government in Ireland from time out of mind.

As a matter of course, Lord Castlereagh became extremely unpopular in Ireland, and a standing mark for abusive language, which, in this instance, sank below even its usual level of decency and propriety. In the county of Down, he was rejected by his former constituents, and compelled to come into parliament on borough interest.

To follow his career in England would demand very considerable detail of English and European politics, which would draw us out of the circle to which we have mostly limited our memoirs, viz., the interests and affairs of the Irish nation. We must therefore confine ourselves to a very brief sketch of Lord Castlereagh's greater career in the imperial councils.

In 1805, he was appointed secretary at war and for the colonies; and, with some interruptions, he retained office till the event of his quarrel with Mr Canning, on which he resigned. In 1812, he succeeded the Marquis of Wellesley as foreign secretary, in which office he continued till his death.

In this position his lordship was maintained by his consummate address and power of management, his unwearied industry and steadiness of purpose, and by the influence which these qualities were adapted to acquire and preserve. His ability was efficiently employed in the maintenance of the war policy; but we cannot say that we consider his abilities were fairly on a level with the great emergencies of the time. He cannot indeed be considered as responsible for the errors, on a great scale,

which protracted, and well-nigh frustrated the objects of the war. It had too much been the established usage, to attempt to govern the movements of foreign campaigns from the cabinet. The consequence was, not only a deficiency in provisions for the war, but the counteraction of the talent and professional experience by which alone war can be well conducted. On several occasions national disgrace and public discouragement were risked and incurred by insufficient and ill-supplied forces, and generals hampered by unskilful orders. We do not believe that the commander whose genius (under Providence) achieved the ultimate triumph of British arms in the Peninsular war, could have directed its operations from his seat in Downing Street. But these misarrangements, which frustrated British valour and military talent, were happily terminated in 1809, when the Marquis of Wellesley succeeded to the war-office.

On the close of the war, Lord Castlereagh went over to the congress as plenipotentiary for England. We cannot enter upon the proceedings of the congress, or of the kings and ministers of whom it was composed; but its results had no slight influence on the fortunes and reputation of the subject of this memoir. While we are ready to vindicate the general principles of policy which were on that occasion publicly recognised by the powers of Europe, we consider it evident enough, that in the train of dispositions and arrangements, the secret views of self-interest were strongly roused, and asserted themselves in keen diplomatic manœuvres to which the genius of the Marquis of Londonderry, or the degree of influence and authority which he could command, were far from being equal. His personal spirit, his honour, and his sincerity in principles ostensibly adopted, were at variance with influences which he did not know how to meet, or how to resist. It is probable that he was too prompt to trust the sincerity of royal intriguers, and their subtle ministers. But, however this may have been, there is every reason for believing that, in the result, his lordship found many strong grounds for dissatisfaction with his own share in the proceedings of the congress. The interests of England were not merely suffered to be the last, but were seemingly neglected; and the lesser powers and communities of Europe were treated with injustice and wrong. The high spirit and political integrity of the marquis were evinced by a dignified protest against some of the most reprehensible acts of the sovereigns. But the sense of the little he had been able to effect in counteracting what he condemned, or effecting what he considered right, fell heavily on his spirits,—overwrought with toil, perplexity, and anxious care. He had, from nearly the commencement of his public life, been exposed to a current of vexations, such as would, in one-tenth of the time, have killed most other men. He was the mark of popular hatred, for his firm opposition to the principles of revolt and change; he was subject to a sense of the mortifying disrespect of the abler men of his own party, who held his lordship's abilities in less esteem than satisfied his pride. His ambition, exposed to frequent checks and mortifications, was much, though secretly irritated. His great self-command, and excellent common-sense, prevented these circumstances and affections from tainting his ordinary manner or conduct; but they made triumph essential, and



defeat or humiliation deadly. In the triumphs of England he had obtained his share, from the cordial excitement of public feeling; but with the return of calm, a cold reaction was to follow, together with the keen-eyed criticism of the ablest opponents, both political and personal. A fearful and protracted reaction was to commence—a long reckoning was to be paid—events were to set in which would disappoint the expectations of the public mind of Europe—what he had done, and failed to do, were to be sifted with a firm hostility. What was wrong would be visited with the castigation of justice, severe in its moderation;—what was right would be assailed with the foul missiles of democratic journalism and oratory. Of this, much may well be assumed to have been present to his lordship's mind, of which the imposing habitual calmness was rather the result of pride than of stoicism.

The consequences became quickly apparent: he was soon observed to have lost much of his wonted placidity of manner, and to be occasionally absorbed, and often irritable. While thus affected, another congress was resolved on by the European powers. The marquis had strongly protested against any further congresses, and had come to very altered views with respect to what had been done, and the course, in justice, to be pursued. But he had entangled himself, it is affirmed, by pledges, and in such a position was once more appointed to represent Great Britain in the game of diplomacy.

A mean spirit and an unprincipled breast could have found no difficulty in the position, not uncommon with great men in the world of politics. The lofty spirit of the marquis sunk under its intolerable pressure. This began more plainly to appear in the arduous session of 1822. It has been mentioned that the king, after having on one occasion given him audience, wrote to Lord Liverpool, expressing his alarm for the marquis, whose incoherent talk suggested fears for his intellect, and urging to have medical advice obtained. The marchioness was at nearly the same time, on the same day perhaps, similarly alarmed by the same appearances; and his lordship's physician was sent for. The family were at the time about to proceed to North Cray, their country residence. Shortly after, they set out. In one or two days after that, by previous agreement with the marquis, Dr Bankhead proceeded to the country, and found him labouring under a heavy nervous attack. On the next day this continued, and indicated derangement by one of its most usual indications, the morbid suspicion of conspiracy. The following morning, his lordship was seen to rush into his dressing-room, whither Dr Bankhead, on being apprised of the circumstance, followed him. He just arrived in time to witness, but late to interrupt, the last fatal deed. The marquis, standing with his back to the doctor, was in the act of cutting his throat. He perceived the doctor coming forward, and called out—"Bankhead, let me fall upon your arm; it is all over!" The carotid artery was cut, as by the skill of an anatomist, with a narrow but deep wound, which must have been guided by deliberate inquiry. "The most expert surgeon, if endeavouring to extinguish human life with the utmost promptitude, could not have effected the object more scientifically."\*

The marquis was exposed to many disadvantages. He was a man of

\* Annual Obituary.





the noblest moral constitution of mind—high-spirited, honourable, and independent. He possessed also considerable talents; but they were far inferior to the positions in which his ostensible and specious advantages placed him. An exterior appearance of the noblest order, both in person and countenance—a graceful address, and much that was the result of real goodness—with official expertness, and considerable powers as a debater—together with the advantages of rank, combined to raise him to an eminence which, under ordinary circumstances, he might have maintained without failure.

But he had to contend with emergencies which demanded powers of the highest order—if indeed, any human powers could come with honour out of the responsibility embraced by his lordship. There was a rising change of public spirit, which was in some measure casting off the ancient conventions of the social state: it appeared, as such changes too often must, in the form of license, insubordination, and the denial of all principles. The onward wave of human progress is, indeed, little governed by human wisdom or goodness: it may be the result of some real defect in the constitution of things; but it usually takes the form of anti-social designs, exactions, and crimes. Hence, in troubled times, a strong control becomes essential to preserve the peace of society and the integrity of its main institutions; while yet a progress is silently and unnoticed working its way, both in the position of things, and the opinions of parties, which afterwards gives force to retrospective enmity, when those who had to struggle with the emergencies of one time are pursued by vindictive recollections in another.

MAJOR GEN. SIR R. R. GILLESPIE, R.C.B.

BORN A.D. 1766.—DIED A.D. 1814.

ROBERT ROLLO GILLESPIE was born at his father's house, in the county of Down, in January 1766. His family was of the first respectability in that county. His father, having no children from two successive marriages, when he again became a widower, married Miss Bailie of Innishangie, in the same county. Of this marriage, the sole fruit was the subject of this memoir. Brought up in great affluence he was rather wild at the dangerous age between boyhood and manhood; he showed no inclination for the bar to which his father destined him, and at last his wish to enter the army prevailed, and a cornetcy in the third horse carbiniers was purchased.

A considerable time occurred before he was placed in the way of distinction by actual service; and in the meantime we have only to mention his marriage, in 1786, with the fourth daughter of Mr Taylor, of Taylor's Grange, in the county of Dublin.

In 1791 he had the misfortune to lose his father. In the same year, he obtained the step of lieutenant in the 20th regiment of light dragoons. He had, with the feelings of a married man and a landed proprietor, been for some time inclining to quit the military life: he now determined to join his regiment in Jamaica.

On the voyage, he had a narrow escape from shipwreck; and, on the



first night of his arrival, was so unfortunate as to sleep in a bed recently occupied by one who had died of the yellow fever. He caught this dreadful disease, and remained for two months in a doubtful struggle between life and death.

On his recovery, he took part in the expedition to St Domingo, and again on the attack on Tiburon, at which he was in command of a troop. Along with a Captain Rowley, Gillespie swam to shore with a message summoning the governor to surrender, and would have been put to death had it not been that the governor wore some masonic insignia, and he made a sign which was recognised and saved his life. He took a distinguished part in the successful attack which followed, and returned to England covered with wounds and honour. Having returned to the West Indies, he took part with great credit in the military operations carried on by several generals, and before the evacuation of St Domingo had risen to the rank of major.

It was about this time that he was attacked at midnight in his quarters by several assassins. He was roused from his sleep by a dreadful cry. Starting up, he seized his sword, and ran down stairs. His servant was severely wounded. On the major's appearance, eight ruffians rushed upon him. He defended himself with skill and presence of mind, and six of his assailants gave proof of his valour with their bodies: the remaining two fled. He received several severe wounds, and lay for some time in a doubtful state, but at last slowly recovered. His fame was, by this exploit, spread far and near; but as it was accompanied by reports of his death, his mother was so affected by the shock, that she fell ill and died.

On his recovery and return to Jamaica in 1799, he was promoted to the lieutenant-colonelcy of the 20th dragoons, and was honourably mentioned in the House of Assembly. He was presented by the Jamaica legislature with a sword of honour, and it was noted that he twice led the storming party in attacks on the enemy's forts.

Having returned to England with his regiment in 1802, the malicious calumnies of a brother officer induced him to demand to be tried by a court-martial; but the utter groundlessness of the charges was so well known in military circles that it was at first refused. The slanders, however, becoming more widely spread, the commander-in-chief at length consented, and the most searching inquiry had the effect of showing not only Colonel Gillespie's freedom from blame, but his conspicuous merit. Having exchanged in 1805 into the 19th light dragoons, then in India, he performed the journey overland, which was then a dangerous feat. In Hamburgh he was saved from being made a prisoner to the French by a friendly hint from Napper-Tandy; falling in with the Austro-Russian army, "an illustrious personage" robbed him of a valuable fowling-piece: and in the Euxine, it was only by his usual dauntless courage that he prevented his ship from making for a pirate's harbour, where the design was to deliver him up a prisoner. On his way to Aleppo, he discovered that an Arab chief was about to murder him for his arms; but the distinguished vagabond being taken suddenly ill, Colonel Gillespie, by some strong medicine he had with him, cured his host and saved his own life. Soon after arriving at Bombay, he was appointed to the command of Arcot, and in this

position he performed another of those feats of personal prowess which made him a sort of modern paladin. A sepoy mutiny took place at Bellore, and it was only by a fortunate accident that Colonel Gillespie was not there at the time, as he had been invited by the commandant. The next morning the news reached him that there had been a massacre of the British, but that a few still held out in a bastion of the fortress. Collecting a troop of dragoons, and followed by some guns, he set out at a gallop, and far outstripping his men, was recognised by a sergeant, who had served with him in the West Indies, riding to the rescue. Bellore was a considerable fortress, and probably when the sepoys beheld the redoubtable colonel riding alone to its capture, their aim was put out by surprise, for he rode safely through their fire, and made his way to the bastion where British colours still were flying. The soldiers drew him up by a chain made of their belts, and putting himself at their head he led a bayonet charge. A tremendous conflict ensued; the numerous force of Sepoys, commanded by native officers, fought with desperation; but the bayonet in those days was the weapon of England, and the handful of British soldiers put them to flight after about a hundred had been killed; then the guns came up and the rout was complete. It was supposed that Tippoo Sahib was privy to the rising, and but for Gillespie's interference the palace would have been attacked. By the relief of Bellore, which General Cradock spoke of in his despatch as a "military wonder," the Carnatic was probably saved, as a general mutiny had been planned in case of success. Colonel Gillespie received the thanks of the Indian Government and the appointment of inspector of cavalry, but by some military intrigue he soon after lost his post. To continue in active service, the colonel exchanged in 1807 to the Royal Irish, and in 1809 to the 25th light dragoons—with the former he distinguished himself in the Punjab, where he commanded the cavalry. In 1811, he accompanied Sir Samuel Auchmuty to Java, which had been taken from the Dutch, and was held by a powerful French force. His military talent principally directed the arrangements, and as usual, his own knightly valour outshone everything else. He commanded the advance: at Batavia he drove back the French columns at the head of his advanced guard: at Welterweeden he helped to rout them from their strong position. But it was in the attack upon the almost impregnable camp of Cornelis that he most distinguished himself. He was entrusted with the principal attack, and took the command of the storming party. The supports were to be brought up by Colonel Gibbs; but having reached the point of assault a little after midnight, Gillespie could hear or see nothing of them. When after surmounting all kinds of obstacles, the advance had come within gunshot of the enemy's videttes, and the darkness began to grow dangerously transparent, and still no supports had come up, after retiring into a concealed position and vainly pausing in expectation, he determined to push on at all hazards. The possession of the password enabled him to pass the first sentinels, and then giving the word "forward," Gillespie dashed forward with his five hundred men; the French picquet was killed or captured, and the occupants of the nearest redoubt had not time to load before the stormers were upon them, and not a man escaped. The blaze of blue lights and rockets now arose,

and the French camp was all alive; but without a moment's loss of time, Gillespie still pressed on through masses that attacked from every direction, and the fire of guns turned upon him, and secured the bridge over the Slokan which was the passage into the enemy's lines. From this he carried a redoubt within the body of the works, and though the French swarmed upon them like bees, his handful of soldiers pressed on still with the bayonet in the face of a tremendous fire, and forced the assailants to give way. Colonel Gibbs came up at last with the supports, but just then a magazine blew up and great numbers on both sides were killed by the explosion. Gillespie was fortunately unhurt, and fighting at the head of his men, took the French general Jautfret prisoner himself, and clearing the redoubts, pushed on to the reserve and park of artillery. In the last stand which the enemy made here, he received a severe contusion and fainted from the blow and the fatigue of his exertions, but quickly recovering, he mounted an artillery horse and headed the pursuit. An attempt was made to rally in considerable force, but Gillespie put himself at the head of the cavalry which, charging in sections, bore down all resistance. In this encounter he slew a colonel of the enemy and took another general prisoner. A thousand French fell in the works, and several thousands in the retreat, while five thousand prisoners were taken. Sir Samuel Auchmuty's despatch concluded with a just tribute to the heart and arm of that glorious victory, ascribing the success to Gillespie's "gallantry, energy, and judgment." He remained in military command of the island, where the conspiracies of the native princes made great circumspection necessary; and in an expedition against the Malays of Sumatra, gained the highest distinction by his admirable generalship and the success to which he carried the expedition. On his return, he found the Sultan of Java in revolt: and as the expeditionary forces had not yet returned, the British were but a handful against a nation. The Dutch fort was worthless, and it was necessary to take the open field. After some negotiations, which the Sultan naturally ascribed to fear, an attack was made upon him in his own stronghold, and the colonel as usual distinguished himself as a stormer. He received a severe wound in this successful attack; and for his gallant service was promoted to the rank of major-general. The commander-in-chief in the general orders passed a long and glowing eulogium upon his career of personal intrepidity, successful generalship and prudent management of affairs. An attempt of the warlike mountain tribes of Nepal to seize a fertile tract of British territory soon again called him to active service.

An army of 30,000 men, under four commanders, marched to the borders of Nepal. While the extreme right was directed to march upon the enemy's capital, the division immediately intrusted to major-general Gillespie was directed to march towards the district of the Dhoon, to occupy the valley of Desrah. The two right divisions entirely failed to enter the difficult country on the points to which they marched. General Gillespie made good his way to the Dhoon, where his operations were properly to commence.

The formidable fortress of Kalunga stood in the teeth of his advance, and he had unfortunately weakened his force by detaching a portion of it to reinforce Colonel Ochterlony. The fort of Kalunga stood, by his

own description, "on the summit of an almost inaccessible mountain, and covered with an impenetrable jungle—the only approaches commanded, and stiffly stockaded." He, nevertheless, considering the necessity of the occasion, and perhaps remembering the success of more formidable undertakings, determined to attack this fortress.

The dispositions for a simultaneous attack from different quarters were made with great judgment; and during the night, batteries were erected on advantageous heights. But the signal guns which were to have set the various divisions in motion, were unfortunately not heard by half the forces, and the messengers despatched were intercepted. In the belief, however, that supports were close at hand, Gillespie ordered the assailing column to advance. The attack was perfectly successful, but the other troops not arriving, the column was unable to maintain its position. Feeling the emergency, Gillespie left the batteries with the declaration that he would take the fort or lose his life in the attempt. The troops were cheered when they saw their general place himself in front, with a calm and cheerful courage on his face; while he addressed Captain Kennedy with these words:—"Now, Kennedy, for the honour of the county Down."

The word was given, and the men rushed forward with spirit. But while their heroic leader was cheering them onward with his hat and sword, he received a ball in his heart, and fell lifeless.

Subsequent information leaves no doubt that, but for this fatal event, the assault would have been successful. His fall at once suspended it; and the next in command ordered a retreat.

England was fully sensible of the loss her arms sustained in General Gillespie; and all the honours that could be conferred upon the dead were freely bestowed upon him. The cenotaph, however, neither spreads nor perpetuates its report; and one of the greatest of Irish soldiers, owing to the exciting events occurring at the same period nearer home, and the remoteness and obscurity of the Indian wars, retains no fame proportioned to his desert.

#### SIR WILLIAM CUSACK SMITH, BART.

BORN A.D. 1766.—DIED A.D. 1836.

SIR WILLIAM CUSACK SMITH was the son of Sir Michael, the first baronet, who was a distinguished lawyer, one of the barons of the exchequer, and finally master of the rolls.

Sir William was born 1766; he graduated at Oxford. During his early years, he became acquainted with Burke, who formed a very high opinion of his character and abilities. That these latter were of a high order, there can be no reasonable doubt, as many of his literary compositions remain. They manifest a perfect command of style and considerable ingenuity.

He was called to the bar in 1788. We find many curious and interesting notices of him in the bar history and correspondence of that period. He was very highly esteemed among his contemporaries; but he was easily offended, and subject to depression and fits of sus-



picion. In consequence of this constitution of mind, his intimacies were liable to be sometimes crossed by misunderstandings, which not being founded on any substantial ground, were not easily removed by ordinary means; but his fearless honesty and lofty principles often terminated them in a manner as honourable as they were peculiar. We shall relate one instance. Smith, we should first mention, was remarkably endowed with that high moral sense, that a passing thought unfavourable to the moral character of an acquaintance had the effect of lowering him in his regard to a degree approaching detestation; and so great was his nicety, that it was not at that time easy to avoid offending it. With this chivalric infirmity it may be conceived how easy it was to fall under his disfavour. Such once chanced to be the misfortune of one of the most illustrious of his bar friends, though from what cause has not been stated; but so it was. Bushe, then his junior at the bar, was surprised by a sudden coldness and estrangement of manner, which nothing had occurred to account for. Smith, however, continuing to display towards him a gloomy, cold, and somewhat petulant manner, the two talented and high-spirited young men ceased to have any communication. During the interval, the manner of Smith became more and more gloomy and depressed, when one day they happened on circuit to dine in the same company in Philipstown. Smith left the room immediately after dinner. After sitting for a couple of hours longer, Bushe proceeded to seek his lodging. It was a cold damp stormy night, and quite dark. He had not proceeded many paces from the door, when he felt himself lightly touched on the shoulder, and accosted by a voice which he immediately recognised as that of Smith, saying in a tone peculiarly his own,—“I want to speak to you;” his friend went aside with him, when Smith addressed him,—“This town smites me with the recollection of your kindness to me, and of my unkindness to you; I have to request that you will, without any explanation, suffer me to call you again my friend,—you will be sorry to hear, what I deserve very well, that my conduct to you has injured my health.” Now, the same authentic source from which we have this anecdote, also enables us to say, that the whole of this wrong, which so deeply affected the trembling sense of justice in Smith’s mind, amounted to nothing more than having for a time entertained some notion injurious to his own high estimate of his friend; but which, by closer observation, or maturer reflection, he saw reason to give up. Such was the delicacy of Mr Smith’s honour and conscience, that he felt it to be a crime to wrong a friend even in thought.

Mr Smith’s rise at the bar was proportioned to his high qualifications. So early as 1795, he became king’s counsel. He represented the county of Donegal in the last Irish parliament. When the question of the Union was agitated, he at first took the adverse part, and was among the majority by which this measure was rejected on its first proposal in parliament in the session of 1799. In the interval between this and the introduction of the same measure in the next year, he had been led to a more full review of the question; and having, according to his natural tendency, taken it up on more general and speculative grounds, he came to the opposite conclusion. As there continued for a long time much reproach against those who voted for the Union, and especially

against those who in any way obtained any personal advantage in consequence, or apparently in consequence, of their conduct on that occasion, a few remarks are necessary in justice to baron Smith. He was one of those few men who could have pursued the exact course which he adopted at that time, without affording fair ground for any malignant construction, because the extreme length to which he carried his independence of character—the zeal for principles—the spirit of defiance with which he asserted his views of right, both accounted for his opinions, and for the course by which he acted upon them. Among all who were personally acquainted with him, there was not the smallest doubt as to the perfect sincerity of his motives. His conduct was in this, the same as in numerous lesser instances with which the experience of his bar friends was familiar; and every one knew the spirit with which he rejected all consideration but his own view of a question, so that, indeed, it was felt that he never could be depended upon as a party man. It was known that at any moment he would pause and hesitate on the lightest doubt, and conscientiously turn, if his opinion were to undergo a change. Smith firmly convinced himself on the occasion; and continued through life to argue strenuously in support of the principle of the Union. His appointment as solicitor-general, in 1800, was a step to which he was eminently entitled, and would have been obtained, had he adopted the contrary course of politics. But when, in 1802, he was raised to the bench, and succeeded his father as a baron of the exchequer, the appointment necessarily gave offence to the factions, and through them to the multitude. The fact had little chance to be fairly weighed; nor was it easy to separate the man from the circumstances under which he obtained this latter promotion. The promotion must be allowed to have been the result of service on the Union question; but there was as certainly no bargain. The baron was the only man of talent who espoused the ministerial party, such happening to be the result of his own view of the question. He was too important an ally not to be valued: the rest, rightly viewed, was matter of course.

On obtaining his seat on the bench, baron Smith, still young, and in the most vigorous perfection of his faculties, began to turn his mind to the more profound study of law. For this his mind was eminently qualified. He signalized himself as an able and expert writer on legal questions, on some of which his essays are of considerable interest. As a judge, he cannot be praised above his deserts. He carried to the bench, not only the skill and talent of a lawyer; but the liberal and humane sense and wisdom of a Christian philosopher.

At a late period of his life, the baron took justifiable alarm at the violence of the democratic party in Ireland. The increase of Ribbonism rose for a time to a truly alarming pitch. Murder was uncontrolled; and the law, sufficient in itself, was frustrated by the cowardice or party-spirit of provincial juries. It was under these circumstances that the baron was induced, by his strong constitutional feelings, to adopt a course which soon made him the object of much party animosity. On his circuits, he delivered a series of charges, of which it was the purpose to counteract the fatal influence, then operating on the minds and verdicts of juries. In the execution of this task, strictly within the duty of a judge, baron Smith could scarcely have avoided being more or less

identified with a party. He certainly laid himself open to the attack which was made upon him in parliament, of leaning to one side, and being lenient to delinquencies of the loyal, and severe on the popular party.

The baron's reputation as a judge, and the strong sense of the state of things which existed in Ireland, were in his favour. The government was hostile, but it was an administration without weight, and his friends in the House were earnest and effective, so that the storm rolled harmlessly by; addresses from the grand juries were poured in to the baron, to congratulate and compliment him on the occasion, and he replied to all in short and pithy answers, which attracted great attention by their elegance and style, and by the variety of their language. They were perhaps not less remarkable for the point and freedom with which he reasserted the principle of his charges, and vindicated himself.

Of the personal foibles and infirmities of a mind which it cannot be denied was subject to some eccentricities, it is enough to say that the baron was both respected and esteemed by the high-minded and light-hearted profession, to which he must be admitted to have been an ornament. We have some reason to suspect that his eccentricities became aggravated towards the close of his life, by the natural effects of old age.

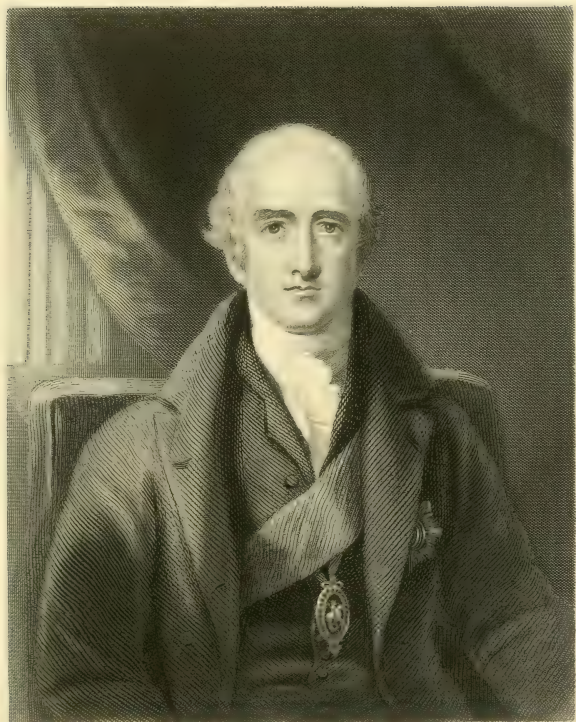
#### RICHARD, MARQUIS WELLESLEY.

BORN A.D. 1759.—DIED A.D. 1842.

AMONG the illustrious names which figure in the history of Ireland, few indeed, in all important respects, are more honourable than Wellesley: if great services afford the test of comparison—none. The original paternal name of the family was Colley.\* Walter Colley, or Cowley, was Solicitor-general of Ireland in 1537. From this gentleman the family is traced, for seven descents, to Richard, who, on succeeding to the estates of the Wellesleys of Dangan castle, an Anglo-Saxon family of very ancient standing, settled in Ireland from 1172, adopted the surname and arms of Wellesley.

Garret Wellesley, first earl of Mornington, was justly celebrated for his high musical genius, having composed several glees which were successful in obtaining the prizes and medals given by the glee club. His church music still continues to be played, and to be much admired. This nobleman married a daughter of the first lord Duncannon. The eldest son of this marriage was the marquis Wellesley. He was first sent to Harrow, from which, with several others, he was expelled in consequence of a rebellion in the school, in which he took part. He was then placed at Eton. Here his reputation stands unquestionably fixed by the severest test of comparison, having been preferred by the master to Porson. Such distinctions are not always clear of imputations of favour. In this instance, however, it was as authentic as honourable. Lord Brougham relates the incident to which we would refer—"When Dr Goodall, his contemporary, and afterwards headmaster, was exam-

\*Burke's Peerage.



*W. C. C. C.*





ined in 1818 before the Education Committee in the House of Commons, respecting the alleged passing over of Porson, in giving promotion to King's College, he at once declared that the celebrated Grecian was not, by any means, at the head of the Etonians of his day; and, on being asked by me (as chairman) to name his superior, he at once said lord Wellesley."

From Eton he entered Christchurch College, Oxford, where he eminently sustained the reputation he had acquired at Eton. A publication long after issued, put the world in possession of his beautiful compositions in Latin verse. We cannot dwell upon the incidents of this period of his life. He came to the age of manhood at a time when youths distinguished for talent, and having the vantage ground of station, were invited into a brilliant field of distinction. It was the day of Grattan, and Curran, and Bushe, and Plunket, in the Irish, and of Pitt, Fox, and Burke, in the British House of Commons. It was also a season of intense political excitement, when great changes were passing through their courses, and greater still beginning to open on the eye of the age. The French Revolution was creating danger and alarm throughout Europe. It was a favourable time for acquiring political experience and for exercising the youthful energies of a man like the elder Wellesley. In 1784 he was returned for Beeralston to the English House of Commons, and in the same year took his seat as Earl of Mornington in the Irish parliament. Into the early stages of his career it is not necessary to enter minutely. It will be enough to state that in 1786 he was appointed a lord of the treasury, and that he continued to hold this post until 1797, when he was chosen to succeed Lord Cornwallis as Governor-General of India. During his parliamentary career he took a considerable part in the debates, and his speeches were distinguished by the fervency of their loyalty and the abhorrence they expressed of the principles of the French Revolution. He enjoyed in consequence the favour and confidence of George the Third, with whom he had much intercourse, and he was created a member of the Privy Council in 1793. On his Indian appointment he was raised to the peerage of England by the title of Baron Wellesley of Wellesley, in the county of Somerset. The time was one when our Indian empire was in the extremity of danger: it had a powerful enemy at hand in the person of Tippoo, sultan of Mysore. His possessions had already been lessened and his power crippled in two disastrous wars with England, in which, notwithstanding a powerful artillery and the assistance of numerous European officers whom he had taken into his pay, he was decisively defeated. But he was firmly possessed with a presentiment in which as a Mahometan he placed the blindest faith, that he was destined to expel from India her infidel conquerors. For six years, from his defeat by Cornwallis, who had besieged him in his capital, he was laying deep his plans for the accomplishment of this design, and, warned by previous reverses, making preparations on a far greater and more complete scale. Although endeavouring to conceal his hostility until the favourable moment, he was completely distrusted by the English government, his vices and duplicity being too well known not to render him suspected. Many circumstances had during this interval been turning in his favour. He had preserved peace and striven to gain friends among the surrounding

rajahs. The war between England and France had given him promise of an infinitely more important ally, and it had strengthened his force of European officers. The Nizam, who was England's chief native ally, had suffered a great diminution of territory and power. A French army was directed to the Isle of France, and the French possessions in India were fully armed. But the greatest circumstance of all those which seemed to favour the plans of Tippoo Sultan, was Bonaparte's expedition to Egypt, by which that country and Syria had been secured as a basis of operations against the British empire of India. Tippoo had received an epistle from the already greatest of European commanders to the following effect:—"Bonaparte to the most magnificent Tippoo Sultan our greatest friend. You have learnt my arrival on the shores of the Red Sea, with a numerous and invincible army, wishing to deliver you from the yoke of the English. I take this opportunity to testify my desire for some news relating to your political situation, by the way of Muscath and Morea. I wish you would send to Suez or to Cairo, an intelligent and confidential person, with whom I might confer. The Most High increase your power, and destroy your enemies." Tippoo, on his part, with the strongest professions of honesty and good faith to the British, was no less earnest to cultivate so promising an alliance with their powerful enemy. In the previous year, he had sent his envoys to the French government in the Mauritius, of whose mission it was the object to levy men for the service of their master. The French governor there had no superfluous troops; but the Sultan's alliance was too important to be disregarded: his objects were identical with those of Bonaparte. A small and disorderly force was raised and embarked in a French frigate for Mangalore, where they arrived in April. A further instance of Tippoo's resolution and subtle policy is also to be noticed, as illustrative of the character of the man, and of the difficulties to be encountered by the British governor-general. The Nizam, or ruler of the Deccan, was understood to be in strict alliance with the English. Tippoo, availing himself of the pacific understanding as yet subsisting, entered into a plot with the French in his own service, to augment the European force of the Nizam, by the addition of large bodies of French soldiery secretly disaffected, and commanded by officers under his own pay; and by raising this body above the Nizam's real force, to undermine him in his own dominion. In prosecution of this design, a large force of Europeans, chiefly French, was incorporated with the army of the Nizam. Another principal step of Tippoo, was his embassy to the powerful Shah of Cabul, the ruler of the Afghan tribes, afterwards so well-known to our Indian armies, and, like himself, a strict Mahometan, and full of animosity against the British. To the Shah he proposed a choice of two plans of co-operation, having a common end in the expulsion of the infidels, and a strong personal inducement in the spoliation, and probably, division of the Deccan, and other territories, in which doubtless Tippoo proposed to himself to secure the lion's share.

His negotiations with the French and other hostile powers had been, as we have said, transpiring; and terror had begun to awaken at Madras, and creep along the Carnatic, in 1797, when lord Wellesley was chosen as one qualified to meet and cope with a season of menacing emergency. It was indeed a position not to be courted, nor accepted

unless by one whose courage was above the power of all that could dishearten and terrify. It was well known how tardy and insufficient were the resources of the British government in India; how trying the emergencies which were suffered to arise, and how severe and invidious was the spirit of inquiry which would be sure to follow and scrutinize whatever might be done under any circumstances. The responsibility which was to be placed between these dangers, was to be additionally burthened by the reluctance, the fear and incapacity of subordinates. But lord Wellesley was armed with vigour, sagacity, decision, promptitude, and firmness. His mind seems to have been framed for some great and imperial emergency—to control the dull, captious, and reluctant subordinate, and defeat the art and treachery of enemies. Having, on his way out, providentially met the Indian despatches at the Cape, he had the means of making himself entirely master of the state of affairs; and then, even at this early period of his office, he framed the plan of proceeding, which he afterwards effectively pursued; a fact ascertained by his despatches from that place.

This promptitude of judgment was qualified by a statesmanlike prudence. He determined to set out by maintaining the principles of justice and fairness so far as they were applicable, and not to be cajoled by pretences where they were not. The actual state of things he thoroughly comprehended; and on his arrival, entered on his course with the uncompromising decision which is always the result of clear apprehension. He had to meet the prejudices and the timidity of persons in office; to make the necessary efforts by negotiation and remonstrance, and to counteract the preparations which were being secretly made for aggression. These difficulties were added to by a fact which he soon discovered, that financial resources at his disposal were not sufficient for an immediate resort to arms. The campaign which he planned, should, he thought, be pushed to its conclusion within the season; and the grounds for this are obvious enough, if it be only considered how powerful a wave of hostility was collecting against England from the northern extreme of Cabul, to the powerful and inveterate Sultan of Mysore. Already the Shah was on his march towards Delhi. Most of the Indian princes, either from fear, ambition, or the influence of secret corruption, were secretly on the watch to declare for Tippoo, whom they, at the same time, feared and detested. The presidency of Madras was unequal to meet the first shock of the Sultan, who could pour down his thousands on the Carnatic coasts, and nearly decide the war before effectual resistance could be made.

Under these circumstances, lord Wellesley entered on a course such as the circumstances required. To repair the dissolved and disorganised defences and army of Madras, and form "so permanent a system of preparation and defence, as, while it tended to restore to the government of Fort St George, with all possible despatch, the power of repelling any act of aggression on the part of Tippoo Sultan, might ultimately enable him (lord Wellesley) to demand both a just indemnification for the expense which the Sultan's violation of the treaty had occasioned to the government of the East India Company, and a reasonable security against the consequences of his recent alliance with the enemy."\* With this view, as the same despatch informs us, in June, 1798, he gave orders

\* Despatches.



for the army to assemble on the coast of Coromandel. These orders appear to have met with every obstacle from the fears of the principal authorities at Madras. But to these the governor opposed the power of his official authority, and put an end to a weak and unwise, but conscientious resistance, by the gentle but peremptory declaration of his will. "If," he wrote in the orders of council, "we thought it proper to enter with you into any discussion of the policy of our late orders, we might refer you to the records of your own government, which furnish more than one example of the fatal consequences of neglecting to keep pace with the forwardness of the enemy's equipments, and of resting the defence of the Carnatic, in such a crisis as the present, on any other security than a state of early and active preparation for war. But being resolved to exclude all such discussions from the correspondence of the two governments, we shall only repeat our confidence in your zealous and speedy execution of those parts of the public service which fall within the direct line of your peculiar duty."

In the meantime, the governor-general applied himself to the counteraction of the scheme, by which Tippoo had actually contrived to obtain a formidable military position in the dominions of the Nizam of the Deccan. An army of 13,000 Europeans, under the pretence of alliance, or of ostensible neutrality, was not to be allowed to remain upon such a vantage ground. Lord Wellesley's measures were taken with admirable dexterity. A treaty was concluded with the Nizam, for a large addition to the English force in his pay. Three thousand British were ordered to the next British station, close to Hyderabad, the Nizam's capital; and on the conclusion of the treaty, they were marched thither, and joined by a large squadron of the native cavalry. Happily, a mutiny had just broken out among the French—the opportunity was promptly seized; they were surrounded, disarmed, and marched off to Calcutta, and shipped thence to France. The effect of this masterly demonstration was immediate, and widely influential: it was felt and understood through India, and conveyed to all her princes a sensation of terror and respect. It likewise operated to restore the courage and confidence of the irresolute and prejudiced councils and officers of the presidencies. The Nizam was thus strengthened against the otherwise certain destruction which menaced him, and the first and strongest approach was strengthened against the enemy.

It is beyond the scope of this memoir to follow out the particulars of the campaign which ensued, and we shall only state the main results. The governor-general, when he had disposed and arranged his resources to the utmost, and taken all those well-devised and comprehensive precautions which his means afforded, or his considerate understanding could suggest, clearly saw that the time to act with decision had arrived. The impatience of Tippoo was at its height, and he was likely to take the initiative, which might lead to disastrous consequences. The British armaments were only to be sustained at an expense, for which the resources at the governor-general's disposal were not more than barely adequate, and all circumstances showed that the moment for overt hostility was at hand. Lord Wellesley, therefore, took the indispensable first step, before he could have recourse to arms. He wrote to Tippoo, and told him that he was aware of his various acts of a

hostile character. He then apprized him of the success of the English arms in the Nile—of the alliance with the Nizam, and the termination of the French influence and force in the Deccan—the presence of an English fleet on the Malabar coast—and such other facts of similar weight, which tended to show that there could be no prospect of French aid either from France or Egypt. Trusting to the effect of these communications, he proposed that the Sultan should receive major Doveton, whom he would send instructed duly for an amicable arrangement. To facilitate the proposed intercourse, the governor then proceeded to Madras and on his arrival received Tippoo's answer—one, it is now needless to say, plainly stamped with the marks of duplicity. On Tippoo's part, the point of moment was the evasion of the proposed mission. This, it must be observed, was a test from which alone no doubt could remain of his intentions. Lord Wellesley instantly wrote a second letter, repeating this proposal, and urging a reply within one day. After three weeks had elapsed, the reply came, that the Sultan was about to go hunting, and would receive major Doveton, if he came "slightly attended." The drift of this evasion was too plain to leave any doubt; but in the interval, lord Wellesley, with a thorough apprehension of the mind and the proceedings of the Sultan, and determined not to let him gain the advantage of delay—his obvious design—had sent on the advanced guard of the British, with directions to proceed into the territory of Mysore; and at the same time took the steps necessary to put in motion, or to place on their guard, the other divisions of the British and his allies.

It was immediately discovered, as lord Wellesley had foreseen, that Tippoo's forces were already assembled, and in preparation for the reception of an enemy. It was plain that, if not invaded, he had been on the start to invade; and it may be inferred that his march was only checked by the approach of the Malabar army under general Stewart. From a hill they were seen forming their encampment at Malavelly between Seedaseer and Seringapatam. Having the advantage of concealed positions, in a very difficult region of hills and forests, they were enabled to gain the advantage of coming unexpectedly on a division of the British, and attacking them simultaneously both in front and rear, before more than the three corps they thus engaged could come up—the remaining corps being intercepted by another body of the Sultan's troops. In this formidable emergency, the troops of the presidency remained till next day; and, completely surrounded, they only defended themselves by the most desperate valour. Their intrinsic superiority sustained them against overwhelming numbers, until general Stewart came to their relief with the flank companies of the 75th and 77th regiments. The engagement was fiercely renewed; and after half an hour, Tippoo's men gave way and fled through the jungle, leaving the British conquerors, but completely exhausted from the fatigue of this severe struggle.

Immediately after this affair, a junction was formed between this division and the main army, notwithstanding the efforts of Tippoo, who endeavoured to prevent it by laying waste the villages and country on their line of march. He did not, however, extend this destructive operation sufficiently for the purpose; and, by a slight deviation, the

British general (Harris) reached the end of his march without interruption. Tippoo was too shrewd not to be aware, that his chance in the field was thus reduced to nothing, and that his trust lay in the strength of his capital, which he knew they would attack, and thought might defy their force. He therefore directed his flight thither with the remains of his beaten army.

In about a week from the battle of Malavelly, the British were encamped before Seringapatam. This was on the 16th of April 1798. On the 30th their batteries were opened: in a few days there was effected a considerable breach. The assault was made in the heat of the day, at the time when least resistance was to be expected. The attack was completely successful; and the town was soon in the possession of the British. Tippoo was found after a long search, lying under heaps of dead, and wounded in five places.

In the meantime, the menaced invasion from the northern Affghanistan power was prevented; and a most imminent danger warded from British India, by the well-directed force which the governor-general had previously sent into the principality of Oudh, with the double view to intercept the Shah, who, according to the suggestion of Tippoo, had marched to Delhi, and of checking the movements of Scindhia, whose hostility was well known.

The fall of Tippoo gave occasion for effecting more completely the system of arrangement, by which alone the security of the eastern empire, and the peace of India, could be placed on a footing of tolerable security. The Indian princes, while they exercised the most grinding despotism over their subjects, were utterly devoid of all sense of honour, faith, and truth; and this, not so much from any peculiar depravity of nature, as from the character of their religion, education, and habits.

Towards this confederacy of tyrants, it was essential to maintain the rules of European policy, only so far as they were applicable. There was no ground in the more general considerations of humanity, why they should be respected or even endured. The fundamental law alone, which secures existing possession, was their equitable protection, and could not be violated without adequate reason. But this, their own falsehood and treachery amply afforded. There was no genuine ground for the questions which a humane but ignorant and inconsiderate Opposition suggested on this occasion. By the results of war, and by their own lawless policy, the dominions of the Indian potentates had been placed at the discretion of the British empire in India. Under the circumstances, there can be no fair doubt that the British empire, now the main part of India, was, in the first place, bound to act on the great primary law of self-protection. It was not to be heard that this great and civilized empire, on which the interests and safety of fifteen millions, as well as the progress of civilization, freedom, and true religion, in Asia depended, was to be risked and betrayed for the advantage of a small number of miserable tyrants of the worst description, that they might be allowed to conspire against each other, to crush the wretched Hindoos, and confederate for the destruction of the British. But on this question, as on many others, false ideas had been engendered by the previous agitation of another question, which, though

essentially distinct in all its bearings, applied to the same subject. The rules of one, and still more the feelings, were applied to the other. It has been the noble distinction of England to lead the way in all the great measures of humanity, and errors of humanity are entitled to respect. But the charges against Warren Hastings and his predecessors involved precisely that violation—for beneficial ends it is true—of rights which, however their force may be settled, had in this latter period either changed their character, or entirely ceased to exist. The power exercised by the British government had become a just, and even a conceded right. The territories appropriated were fairly won in self-defensive war: the princes interfered with were some of them only existing by the protection of the British; and the rest either convicted enemies, or unable to maintain themselves without danger to the empire. And these are all recognised cases of international law in which interposition becomes authorized. We do not believe that any doubts now remain on this class of questions; and those which were entertained, or pretended by party opposition, were even then silenced by the good sense and just feeling of all parties.

The governor-general took advantage, as we have said, of the fall of Tippoo, to carry into effect his plan for the radical correction of the false and vicious system, under which there was neither security for the British empire from the incessant recurrence of the same expensive and calamitous wars, nor for the Rajahs, from the consequences of their own turbulence, craft and weakness. The Mahratta war, which followed the conquest of Mysore, protracted and delayed the more full completion of this new arrangement, by which the Indian Princes were henceforward to place the military department of their establishments under the command and authority of the British government, allotting for the purpose a sufficient portion of their revenues; and retaining only the civil government of their respective provinces.

Of the Mahratta war, it would be impossible to give an account suitable to its importance and interest, within the space which can here be afforded. Five chiefs of provinces had managed, by the usual resources of the East—the weakness of their sovereign, and the facility of rebellion—to raise principalities for themselves in five western provinces of the Deccan, and protected themselves by a mutual league. The vast dominion cemented by this compact amounted to nearly nine hundred square miles. They were among the most warlike and turbulent princes of the East, and the most alert to seize on each occasion of hostility to the British. A population of forty millions, enabled them to maintain armies amounting to four hundred thousand and upwards. As may well be conjectured by the reader, the harmony of such a union of turbulence and intrigue was by no means undisturbed: among these potentates there went on an incessant strife for the supremacy. Their principal object was severally to obtain possession of the authority of the Peishwa, or prince of Poonah, who was the least in point of strength, but who had the advantage of deriving his title by descent from the first founder of their union, whose paramount sovereignty they all pretended to recognise. As the usurpation thus intrigued for would, by the concentration of so large



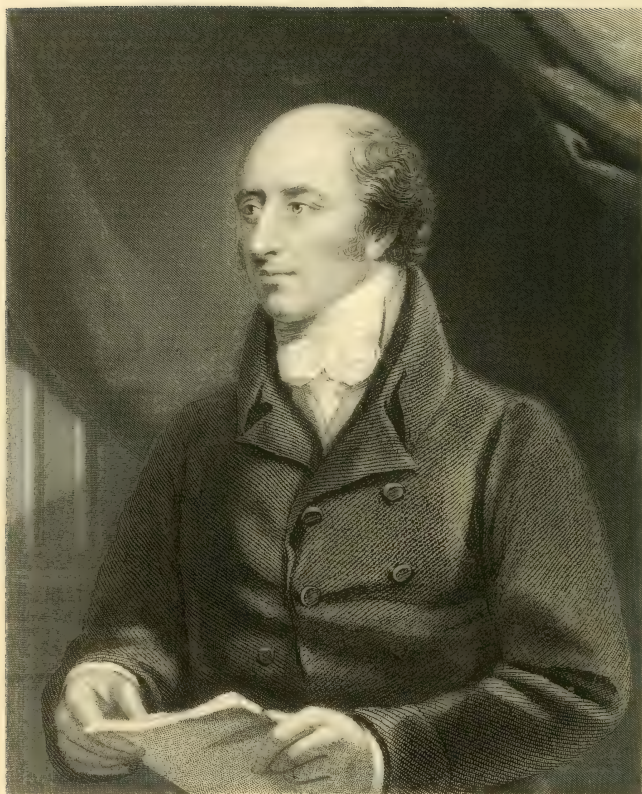
an empire, be dangerous to the British dominion, it was the policy of the government to prevent such a result, by maintaining the balance of power among them. For this purpose, the course pursued was to add strength to the Peishwa, and to maintain with him a strict alliance. With such views, on the fall of Tippoo, a considerable addition was made to his territory; and he was recognised in every treaty as the sovereign of the Mahratta confederacy. These wise precautions were, however, entirely defeated by the successful efforts of Scindhia (one of the five), who kept the Peishwa in such complete subjection that he not only could not fulfil his engagements to the British, but was even compelled to refuse their favours.

Such was the position of affairs among the Mahrattas, when disturbances arose among them, which it would be foreign from our immediate purpose to relate. A war sprang up between Holkar and Scindhia, the former of whom marched against the Peishwa, who applied for protection to the governor-general. As the result of his fall must in all probability have been soon followed by the ascendancy of Holkar, it was evidently an occasion of the most pressing emergency; and therefore immediate steps were taken, which led to the commencement of that war, which is connected in military history with the fame of one of the able and successful commanders, under whom it was brought to a favourable conclusion, after a glorious and hard-fought campaign. The result of this most brilliant succession of distinguished victories, including those of Assaye, and Lassawarree, won by the younger Wellesley, was that, in February 1804, peace was proclaimed with the Mahratta chiefs, on terms arranged by lord Wellesley. He had been created Marquis of Wellesley in 1799, on the overthrow of Tippoo Sultan. The inhabitants of Calcutta, impressed with a sense of the importance of the new success, voted a subscription for a marble statue of the governor-general, and at home he received the honourable distinction of the order of the Bath, and the thanks of parliament. We must not omit to mention the important assistance the marquis was able to give in wresting Egypt from the French, by despatching a force up the Red Sea, under Sir David Baird, to co-operate with Sir Ralph Abercromby.

Lord Wellesley's successes against the native allies of France were scarcely more deserving of praise than the mild and steady progress of improvement in the civil and constitutional state of the entire country thus secured from the dangers of incessant invasion. The administration of justice, of the internal police, the morals of the people, the interests of knowledge, and still more of education, obtained his attention and unremitting care. Ever singularly regardless of selfish considerations, his whole heart and entire resources were freely devoted to the great purpose of consolidating the empire, and adding to the happiness and welfare of the people. He proved his superiority to the avarice which so generally prevailed amongst the Anglo-Indians of that period, by relinquishing £100,000, his share of the spoils of Tippoo, to the army; and came home unadvanced in anything but honour, and the satisfaction of having done good on an imperial scale.

Though his services did not secure unqualified approbation, they were rated justly by wise and honest men. On coming home, an attempt to impeach him had but the effect of drawing forth universal





*Geo Canning*

testimony to his high deserts. In the commencement of 1806 he returned, when the death of Pitt had the effect of reducing the Tory party to a state of disorganization; and a protracted series of intrigues and abortive negotiations to construct an administration out of the leaders and the *debris* of both parties, continued for several months. The members of Pitt's government applied, with the king's consent, to the marquis Wellesley, who declined to make an attempt of which he saw all the difficulties. In the following session, Sir Philip Francis moved for his impeachment. Sir Philip was desirous to make a grand display on Indian administration, as he was still excited by a hope that he might himself be sent out as governor-general. But there was too strong a feeling in favour of the marquis; and the more respectable members of either party, with the exception, we believe, of Fox, discountenanced a party prosecution so gratuitously vexatious. The marquis held himself aloof in the scramble for place to which his large intellect and refined tastes were repugnant, until 1809. In this year, when the country had been led to increased efforts in the great struggle in which it was then embarked, it was proposed by Canning to bring the marquis into the cabinet as secretary at war, instead of lord Castlereagh, out of which arose a misunderstanding and a duel between those two statesmen.

In the same year, the marquis was by much entreaty induced to go as envoy extraordinary to Spain, where the greatest detriment to the service had occurred from the utter incapacity of Mr Frere. Towards the close of the year he returned, and was appointed foreign secretary in the place of Canning, when lord Liverpool succeeded lord Castlereagh in the war and colonial office. We find him at this time, with great and striking oratorical excellence, vindicating his brother and the conduct of the war, against the powerful faction among the whigs, which were then violent in the opposition; and though Canning and Croker were among the distinguished defenders of the war, there does not appear to have been any speech produced by the occasion deserving of comparison with that of lord Wellesley. Among the whigs, the war had been unpopular from the well-known principles of their party; but their opposition was at this time exasperated by the impatience of a contest which, while it was attended with a heavy expenditure of public money, seemed to promise no decided result. In a word, they did not understand the actual position of affairs in the peninsula, and seemed warranted by the precedents of a quarter of a century, in drawing unfavourable inferences from the tedious movements of a protracted campaign. They did not know the real difficulties which it required time and steady patience as well as first-rate ability to surmount, nor had they any adequate notion of the abilities which were engaged in the task. They did not know, what they might have known—the inadequacy of the means applied, at a time when the utmost liberality should have been exerted to further the crisis of this great struggle. The great commander to whom Europe was indebted for delivery, had to strive against all imaginable odds, a parsimonious supply of the necessaries of war, stubborn and wrong-headed interferences, speculation, and remissness of official persons; so that his friends were actually more formidable than the numerous, brave, and well-commanded army against



which he was to direct his little force. All this was not rightly understood, until the success of our troops made it apparent. Such indeed is always in some degree the ignorance which exists in an opposition party, and sometimes in both, when the scene of action is remote, or beyond the compass of immediate personal observation.

In 1812, when the restrictions on the Regency were on the point of expiring, and there arose an interval of distraction, uncertainty, and apprehension, among the holders and the expectants of office, the marquis tendered his resignation. The regent requested him to retain his place provisionally, until he should himself be placed at liberty and to this he consented for the time. Into the causes of the marquis's wish to resign, and the intrigues of those who were his personal enemies, it is not necessary to enter. It will be enough to say, that it appears that the result of these circumstances was—contrary to what might have been expected and desired—to establish Mr Percival in place, and confirm the marquis in his determination to resign. On tendering his resignation the second time, he was requested by the prince to state his opinion as to the changes advisable in the plans of administration. The marquis recommended a satisfactory settlement of the claims of the Roman Catholics in Ireland, and a more efficient prosecution of the war. His resignation was then accepted.

In 1822, he succeeded earl Talbot in Ireland, and produced beneficial effects on the agitated temper of the country, by the adoption of a line of conduct in which a liberal and impartial spirit was carried to the utmost extent consistent with fairness or sound policy. The marquis discerned the great changes, in point of number, wealth, and civilization, which seemed to call for and admit a relaxation of political restraints, and gained during the period of his viceroyalty the entire confidence and esteem of a warm-hearted people. The marquis was recalled in 1828, on the accession of the Tories. In 1830, he accepted the appointment of lord steward in the household. In 1833, he came back to the viceroyalty of Ireland, which he resigned in the following year.

On the subsequent political career of marquis Wellesley, it is not necessary to enter further. Lord Wellesley joined the Melbourne administration in 1835, but resigned in the same year. He neither sought for office, nor was willing to accept it, if it was necessary in the slightest degree to compromise his opinions, and he was not always well treated by his party. Lord Brougham relates, "On their (the whigs) accession to power, I have heard him say, he received the first intimation that he was not to return to Ireland from one of the doorkeepers of the House of Lords, whom he overheard, as he passed, telling another of my friends lord Mulgrave's appointment." On retiring from the Melbourne ministry, he was in his seventy-seventh year, and determined to give up the rest of his life to repose. In consequence of some pecuniary difficulties, the East India Company made him a grant of £20,000 in 1837. The marquis died in September 1842, and by his special wish was buried in the vault of Eton College Chapel, where seventy years before he had worshipped as an Eton boy. He was twice married; in 1794 to an opera dancer named Hyacinthe-Gabrielle, only daughter of M. Pierre Roland. By her he had several children, but after a period

of separation she died in 1816. In 1825 he married an American lady, widow of a Mr Patterson.

The pursuits of the last retirement of the marquis are, like the achievements of his public life, fortunately not without their monument. A small volume of Latin poems, dedicated to Lord Brougham, and published in the author's eightieth year, sufficiently prove that he would have been as distinguished in the cultivation of letters as he was in the government of states. It would be difficult to give several of his later poems higher praise than they deserve; the classical and poetical reader will perceive in them the deep vein of uncorrupted fancy and feeling, preserved from the brightest and purest fountain of the youthful affections, which glows through their every line at the advanced age of eighty. They indicate also Christian studies and habits of feeling, which shew that this noble heart was cheered in its latter days by still happier consolations, and led by purer lights and more immortal hopes than the muse of Greece or the literature of Rome.

CHARLES KENDAL BUSHE, CHIEF JUSTICE, QUEEN'S BENCH.

BORN A.D. 1767—DIED A.D. 1843.

THE end of the last century, though far behind the present time in public intelligence and in the advancement of real knowledge, was yet as far beyond it in that loftier cultivation of the heart and reason which constituted the finished gentleman, the accomplished man of letters, or the powerful orator. Not, indeed, that this pre-eminence was generally diffused among the wealthier classes, but while there existed among the lowest ranks a perfect barbarism, and among the rural gentry a rude and uncultivated condition as to habits of life and general attainment, there was among the higher aristocracy, the university, the bar, and the leading parliamentary men, a sedulous cultivation of elegant literature, of the refinements and graces of language, of the popular methods of address, as well as of the exercise of the whole art of forensic eloquence, such as has not since been remotely approached; nor, considering the changes which have taken place in knowledge and manners, is likely to be again attained. In England, our illustrious countryman, Burke, had, with all his unrivalled power, raised his testimony against Indian oppression or domestic improvidence, and warned his country and mankind against the rising storms of French revolution—"Shook the arsenal and fulmin'd over Greece"—followed by the brilliant and celebrated men of either party, whose names are still so familiar. In Ireland, Grattan and his powerful contemporaries were only less famous, because they had a narrower stage, and less elevated parts to play. Emanating from this splendid competition of men of the highest gifts, there were in different circles of society bright expansions of intellectual light, of greater or less compass and spirit according to the local combination and social influence of some one or more central minds; but there was no spot within the country or the kingdom more conspicuous for its high and refined cultivation than the county

of Kilkenny. The county of Flood and of Langrishe, under the influence of a few accomplished families, had become the Attica of Ireland. To this effect the residence of several wealthy proprietors contributed; and family connections added to this illustrious circle the choicest mind of other places. By the intermarriage of his sister with Mr Bushe, of Kilfane, as well as by his early acquaintance with Flood, Grattan became a frequent and intimate associate in the circle of county society which had Kilfane for its centre. Such were the auspices, and such the time and place from which issued Charles Kendal Bushe, a name too honourable to derive illustration or distinction from any title.

The ancestry of the Bushe family may be traced far into the heraldry of England, and is variously connected with that of the most respectable families in their part of Ireland. Of the Irish family, the founder came over as secretary in the time of William III., under the vice-regency of lord Carteret. They acquired, by grant or purchase, large possessions in the county of Kilkenny, and resided in the family mansion of Kilfane; in the past generation, this seat was transferred by sale to the late Sir John Power, baronet, who married Harriet, daughter to Gervase Parker Bushe, of Kilfane. Chief Justice Bushe belonged to the younger branch of the family. In the end of the 17th century, the then Mr Bushe, of Kilfane, married Eleanor, sister to Sir Christopher Wandesford, who was created viscount Wandesford in 1707. By this lady he had (with other children) two sons, Anyas and Arthur; of these the elder inherited Kilfane, and was the immediate ancestor of the Kilfane branch. To Arthur, his father gave Kilmurry, being a small estate separated from the family demesne.

The Reverend Thomas Bushe, eldest son to Arthur Bushe, of Kilmurry, married Katharine Doyle, sister to the late general Sir John Doyle, long governor of Guernsey, and well known as the gallant colonel of the brave 87th. Sir John was also very universally known for his rare command of wit and humour, for the eloquence of his speeches and addresses in the Irish parliament, and afterwards in the India House; and was very much distinguished by the favour of George IV., who was so eminent a judge of character and social talent. Of his peculiar style of humour we can only afford an instance. Once when he had the honour of dining at Carlton house, a gentleman was entertaining the prince and his company with a lively account of some adventures which he had met with on his travels; among other wonders, he gave a lively description of some monstrous bug, on the marvellous properties and exploits of which he dwelt with all the eloquence of Munchausen. "Pray, Sir John," said the prince, addressing the baronet, "have you any such bugs in Ireland?" Sir John replied, "They are quite common, I can assure your highness, we call them humbugs in Ireland." The sister of this worthy baronet, though less widely known, was not less remarkable for her superior understanding, her refined and polished wit and taste, and her knowledge of the literature which was then cultivated by the highest minds. She lived to a very old age, and had the gratification of seeing her gifted son Lord Chief Justice of Ireland. She was still, at that extreme period of her life, very remarkable for her graceful manner, the elegance of her easy play of allusion, and

the youthful brilliancy of her fine eyes. She was equally observable for the fine tone of high and generous feeling, which often reminded us of some dignified matron of the Cornelian race: there was about her person, manner, and style of conversation, much to verify and illustrate the frequent remark, how often the most illustrious men have been indebted to the virtues and talents of their mothers.

Not long, we believe, after his marriage with this lady, Mr Bushe accepted the chaplaincy of Mitchelstown; and having fallen into considerable pecuniary embarrassment, was compelled to alienate Kilmurry for the liquidation of debts which had been chiefly the result of an unfortunate passion for building. Previous to this occurrence, two children, Elizabeth, and afterwards Charles Kendal, the subject of our narrative, were born,—the latter in 1767. He received the name Kendal in honour of a Mr Kendal, who had bequeathed to his father the neighbouring demesne of Mount Juliet, which his father had a short time before let to lord Carrick. After removing to Mitchelstown, Mr Bushe had five other children.

Of the early education of Charles Kendal Bushe, we have no very precise details to offer, and shall not load our pages with those which can amount to no more than generalities. In his fourth year, he was sent to Mr Shackleton's academy at Ballitore, then eminent for its superior system of education, and afterwards illustrious for the men it produced. We have already had to notice it in these pages. From this, he was removed to another very distinguished school, that of Mr Craig in Dublin, the same in which we have already had to trace the early days of Tone. Here, too, several persons conspicuous in after life became united together in that interesting tie of memory, which, from so slight a beginning, had so deep and permanent a hold. From these traditional recollections, we must pass on to the time of his entrance into Trinity College, Dublin, in 1782, when he was in his fifteenth year. Here he was eminently distinguished, and notwithstanding his extreme youth, was successful in winning premiums both in classics and science. His classical attainments were placed beyond doubt, and nearly beyond the reach of comparison, by the unusual circumstance of a scholarship in 1785, with eight first best marks—a distinction strongly verified by the perfect mastery which he retained to the very last, of the whole of that range of Greek and Roman literature which was then included in the premium course. His contemporaries were among the most remarkable persons of that generation. Plunket, Miller, Graves, and Magee, were among the scholars at the time. Tone, also, then as much distinguished by almost unrivalled wit, and admirable address, had obtained his scholarship in the previous year. To maintain a leading position in a circle which has not been equalled since, and is not likely to be soon rivalled again, the great reputation which Bushe had then acquired, and well maintained, is of itself a test of high distinguishing qualities. The Historical Society brought these brilliant and active spirits together into a competition more free and congenial than the pursuit of academic honours; and here Bushe rose as nearly to his comparative place, relative to these eminent men, as was consistent with the imperfect nature of the test, and the inexperience of those who were to pronounce the awards of fame.



If, however, Bushe had, in the estimation of his college contemporaries, a place in any degree lower in comparison than we must claim for him, it cannot strictly be said that he was underrated; if he was not *first*, he was nearest to it. He possessed by nature the flowing torrent of burning words which all can feel: he was also master of a rare and matchless style of wit, which art never gave; it was that command of the most rapid, varied, and lively combinations of fancy, and of playful allusion, which he had inherited with his mother's blood, and which seemed to sport involuntarily and without consciousness upon his lips. He never was to be caught in premeditated witticisms, or guilty of resurrectionary Joe Miller's in his lightest discourse; he was witty because he could not help it; and as his whole conversation flowed from the kindest feelings of human nature, his wit was as much directed to give pleasure, as that of most wits to give pain. Quite free from the vanity of competition, and admired by all, he never interfered with the pretensions, real or imaginary, of others, or entered into frivolous disputes for the sake of victory.

After leaving college, some years were spent in studies of which the law, which he had selected for his profession, formed but a small part. This is an inference warranted by the known extent and variety of his early and intimate acquaintance with every branch of polite literature, and the skill and information in the reasonings of metaphysical writers, proofs of which remain among his papers. A thorough acquaintance with the best writers in defence of revealed religion, and a very able reply to Hume's attack upon it, were among the fruits of this interval.

He was called to the bar in 1790. We cannot distinctly say to what cause it is to be ascribed that his success was not so rapid as might be expected from the high reputation he had already acquired, and the popular nature of some talents he so strikingly possessed. The case is (seemingly at least), not of infrequent occurrence. Men of first-rate legal attainments, as in the instance of Lord Eldon, have been long unnoticed. But deep legal erudition, and the powers *essential* to the lawyer, are not of a nature to force themselves into notice; nor are those gentlemen who are the dispensers of bar employment, the best qualified to discern the powers and attainments they are in duty bound to look for. It was then, at all events, thus. It is true that in the instance of Bushe these reasons are insufficient; his faculties were too bright to escape the dullest vision. But it was a moment of vast ebullition of all the lower and baser elements of the social state: there was a collision between democratic rage and folly, and administrative misrule. Disaffection on one side; and on the other, low intrigue, and base subordination; while unprincipled or misprincipled acquiescence in popular folly, filled the space between. Bushe could easily have sold himself to the Castle, or bartered his lofty sense of principle for the praise of democratic clubs, and the applause of rabbles. He could early have had the office of a crown prosecutor of those whom he condemned, but loved and pitied; or he could have been the popular advocate of crimes which menaced the dissolution of civil society. There was in his nature a dignity, and an instinct of truth which repelled both. He stood apart, not so much intentionally as from the instinct of a nature at once generous and delicately alive to principle.

In the same year, he was called on to assist in the last meeting of the Historical Society, and made on that occasion a speech long remembered by those who heard it. The society was in itself an institution subject to the college, composed of its students, and within its walls, though not comprised in its corporate constitution. It will best be described as a school of oratory, poetry, and history, of which the first nearly absorbed the whole practice. It met weekly, during the college terms, on Wednesday night, and when the secretary had read a minute of the transactions of the last previous night, some question selected on a former meeting was formally proposed for debate. These questions were mostly of an historical character, and involved some important moral or political principle. We are not aware that the general order and practice of the society at this period was materially different from the latter society revived in the same place not many years after, in which we can recollect to have heard the eloquence of many since known to fame—

Et nos  
Consilium dedimus Syllæ, privatus ut altum  
Dormiret.

In the earlier period, it must be allowed, there was an amount of genius not afterwards equalled. But there was in both periods an error in its constitution, inconsistent with permanence. It admitted of the clash of party opposition, and thus necessarily called into existence among rash and heady youths, the same tendencies which carry grown up men into such folly, crime, and violence. In the later society, it is well known to what an extent a spirit of intrigue, turbulence, and insubordination were beginning to appear, though under greater constraints and with less provocation from without. But in the day of Bushe, their debates were far more free; and they were touched with no slight spark of that fire which burned so fiercely in the breast of the Emmets, of Tone, and others, who were then among their distinguished orators, and were soon after too well known to their country. It was in 1790, that the heads of the university, actuated (we believe) by reasons not materially different from those which they again acted upon in 1815, thought it necessary to place the Historical Society under more stringent rules. The effect was in each instance the same: the society met and voted itself out of existence.\* To grace, and give force to this act of self-dissolution, Bushe was invited. It was the custom, at the beginning and end of their sessions, to open and close the meeting by a speech from the chair; the orator on such occasions was always chosen for his ascertained powers, and the public was admitted. It was therefore a distinguished test of character to be thus called to speak to the world the last of these solemn addresses—the last words of the old Historical Society. Many passages of the speech which he then delivered have been printed in different works, and are therefore generally known to those who exercise a taste for oratory. We here give no extract, because it is our design to offer other specimens of far maturer power.

\* This institution has long been revived, but under a far more well-conceived and durable form, in which all its proper ends are secured, and its irregular tendencies excluded

On attaining the age of majority, Bushe's first step was one which, while it indicates the same high and generous nature which will appear in every part of his life, had the unhappy effect of plunging him into difficulties which operated to retard his advancement, and heavily cloud both the peace and the prospects of his earlier years. Unable to bear the pain of witnessing the embarrassments of his father, he made himself liable for the full amount of his debts. Of the actual amount of these, neither father nor son had any distinct knowledge; and Mr. Bushe, having assented to the proposal, immediately found himself involved to the amount of thirty thousand pounds. This heavy incumbrance was unaccompanied by any proportionate means of liquidation; and he soon became so severely pressed by his creditors, that he was compelled to absent himself from Ireland for an interval of two years after his call to the bar. It must be quite unnecessary to say how darkly such a state of circumstances must have clouded his youthful ambition; how like the aspect of ruin it must have appeared. The way was nevertheless opening which was to extricate him, so far at least as to enable him to enter upon the scene of his professional labours and future successes.

Some time before, he had been introduced to Mr. Crampton, then residing in Merrion Square in Dublin. This gentleman was in his family and among his acquaintance considered remarkable for his sound and penetrating judgment in the observation of human character; and it is now a satisfactory test of the justice of this character, that he immediately formed a very high opinion of the merit and qualifications of his new acquaintance, and expressed a confident anticipation of his future distinguishing success at the bar. Mr. Bushe seems, from what we are enabled to infer, very soon after this introduction to have conceived a strong attachment to Mr. Crampton's third daughter. This circumstance must have first been productive of a painful aggravation of his distressing situation, when he found himself compelled to quit, together with his professional prospects, the scene of those hopes and wishes which he was wont to have felt with such peculiar strength.

After an interval, during which he pursued his studies in his Welsh retreat, he returned to Dublin, probably with some definite prospect of an arrangement with his father's creditors, such as might allow the prosecution of his professional interests. His was not the temper of mind to stand contentedly aside and let the world go by: and we cannot now even conjecture to what extent the clouds which thus had thrown a momentary shade upon the outset of his brilliant career, may have begun to sever and let in a more cheering light. We can only now say, that after a couple of years, he returned and entered on his profession. As his marriage had been understood to await this important preliminary, it soon followed, with the full consent and approbation of every side. He had previously made such arrangements as his circumstances admitted, for the settlement of the liabilities to which his high and generous spirit had exposed him. The fortune which he received with his wife, increased by a considerable loan from an attached friend, enabled him to extricate himself from the immediate pressure of embarrassments, by paying off the most urgent of his

father's creditors. He then came to reside for a time in Merrion Square, with his wife's mother.

Such a union might well be regarded as an event too important in the history of his life, not to demand some especial notice. It was indeed the happiest compensation for many evils in his position—for the weary struggle that was yet before him. The venerable and highly respected lady, to whom the subject of our memoir was so deeply indebted for the best portion of his comfort in this world, survived to the most advanced age, the loved and cherished centre of the numerous circles of his descendants and her own; and being personally aware of the extreme dislike she entertained to all allusion to those qualifications which were too much known and valued to be quite private, we feel that there would be something of a violation of the sanctuary of a Christian's profound humility, to say much that our feeling prompts and our subject requires. It may be desirable to notice the circle of connexion into which Mr. Bushe was thus introduced. Mr. Crampton's eldest daughter had been previously married to the Reverend Gilbert Austin, the worthy and amiable rector of Maynooth. Another was afterwards married to Mr. Smyly, a barrister of very considerable eminence. Of Sir Philip Crampton, we shall have to speak elsewhere. Mr. John Crampton, the eldest brother, was also well known in the best society of both countries, and died as eminent for his enlarged and zealous piety, and earnest promotion of the best and highest of causes as a true and faithful servant of Christ, as he had in early life been for his gaiety, and singularly active and powerful frame. Of the Rev. Josiah Crampton, rector of Castle Connel, we have not so directly the means of speaking on our own personal knowledge; but we may here insert a sentence written in after life by Chief Justice Bushe himself. "I return you Joss's inestimable letter, full of all the good realities of a fine downright unsophisticated character, a *droiture* and justness both in thinking and feeling, which affectation could not assume, and fiction could not invent." Such, indeed, was the character of this estimable Christian minister, who never for a moment bent his knee to Mammon, or lost sight of the proper character of his calling, the highest, if rightly understood. He had, in common with most of the members of his family, considerable talents. These few we select from many who formed Mr. Bushe's first and inmost circle on his introduction into professional life. It would be vain to enumerate the many who at that period must have claimed familiarity with one so eminently known for social attractions. These were the most gifted persons of their time and country.

A considerable interval now followed, which does not admit of distinct commemoration, unless by such notices as cannot be said in any way to be connected with the progress of our narrative. We have already taken occasion to state that during this period, he made little professional advance. He continued to walk the courts, if not without a brief, at least without any opportunity of distinction, and to go on circuit, with but occasionally small employment for several years. We can, however, most satisfactorily ascertain one fact: that among his contemporary lawyers, he was held in proper estimation. And we can have no doubt, that the general and evident sense of those best qualified to judge, must have helped to sustain his courage during those trying years, in



which he continued to buffet with and withstand the waves of adversity. His trials were, indeed, rough, and sufficient to overwhelm a spirit of less energy, and less consciousness of power. While he was pressed by the clamour of creditors from without, he was haunted by the menace of straitened means within the home of his tenderest affections—of the wife he loved, and of his increasing family.

His talents were, it is true, known to Government, and, as we shall presently exemplify, brought offers which, under his circumstances, few, indeed, could have rejected. The leaders of the Irish opposition were, in fact, all those who were capable of making any impression by their eloquence on the public. The accession of Mr Bushe would have been cheaply bought by the administration, at any price. Such offers came: they brought with them the feeling of honourable indignation, and the painful sense of the claims of wife and children. But happily for Bushe, his pure and lofty principles were shared in by her whose peace alone could have induced an instant's hesitation, and he invariably repelled every temptation to swerve from the strict line in which his duty appeared to consist.

In the year 1797, he was elected member for the borough of Callan: and it was not long before he found occasion enough to display an eloquence which, though far, indeed, from being appreciated according to its real excellence, yet could not fail at once to place him high in the foremost rank of orators. His speeches then, as ever after, manifested little if anything of those popular ornaments, which were then valued so much beyond their real merits by the people, because they were accommodated to their taste, and cultivated by men of superior understanding on account of their popular effect. There was in Ireland a degree of barbaric taste for effect, which harmonized powerfully with the strong popular passions which then prevailed. And, accordingly, the adornment of trope and figure—the flight of poetic diction, the pointed epigram, the keen retort, and the laboured display of invective—were the study of the orator, and the admiration of his hearers. More solid and higher qualities had indeed their praise; but unless in their highest degree of excellence, they were regarded as second to the more ostentatious flights of ornamental language, for which unfortunately too much deduction is to be made now in estimating even the greatest orators of that period. Among the very foremost in celebrity, it is curious to see how much of their superiority consisted simply in manner, and how much of this was rather the result of elaboration on vicious models than the genuine production of intellectual power; and even when this power must be acknowledged to have existed, fame was won rather by the tawdry embellishment which delighted the vulgar, than by the display of intellectual power, or of detached and comprehensive knowledge. This will be easily observed in the orations of that truly great man Grattan, in his earlier period. Nothing can be less entitled to the praise of eloquence than the *real* arguments and material statements of his best speeches. These are, nevertheless, the real indications of his powerful and comprehensive intellect; but his fame was won by those less durable, though more brilliant efforts, which, admirable in their way, would hardly have been remembered, but from the dry and stern elevations of Titanic intellect which they accompany, but do not blend with.

Contrasted with such a style or styles, was the less ostentatious, but far more masterly one, in which Bushe may be regarded as *facile princeps*. It would be difficult to convey any clear idea of it by mere description: impossible to conceive or to execute, without rare gifts, in rarer combination. And this is not merely true, but even a characteristic truth. It is easy to pursue a chain of reasoning: it is easier still to soar into the well-frequented region of metaphorical cloudwork: the union of wit and gall, which the epigrammatic point combines, though somewhat rarer, is neither quite uncommon, nor remarkably elevated in its claim, though a claimant, perhaps, too formidable to be put off, without due allowance. But Bushe united all—the reason, the clear and lucid statement, the wit of purest water, the dazzling play of fancy, the keen and terrible edge of satire, in his most simple, pure, and classic flow of apt and yet unstudied language. In his narrative, in his argument, in his reply, the clear and unembarrassed method displayed a mind attentive only to what was material; while every sentence was rendered more effective than the most laboured glitter of ordinary rhetoric, by a pure, rich, intrinsic beauty of diction—a light from the unseen source of mind within. This quality, while it told on the simplest mind, was itself a result of the most refined reach of perception and taste. An exquisite adaptation of every word to his purpose—a perfect arrangement of every word in every sentence—of every sentence in every period—produced the fullest effect on the mind and ear that language as an instrument could produce. Nor was this the result of study, or of any elaborate effort for effect—it was the gift of nature: the result of that prompt standard of feeling or tact, which cannot go wrong without violence to itself. It was also, in a great measure, produced by a sound and comprehensive conception of the real relations of things—in its ordinary indications called common sense; but which Bushe possessed in no ordinary degree: a quality which gives their direction and value to every exertion of the mental powers. Such were the material elements of which the most striking combinations may be exemplified in British oratory. At the present period of our narrative, it is likely that his speeches, of which our reports are very imperfect, were by no means equal to those of later times, because it is the property of his style of speaking to improve; the common character of all that comes from reason and observation. Yet, among the first of his speeches which we can discover in the debates of the Irish commons, there is a surprising pre-eminence in all the sounder and more standard qualifications of a great speaker. In the debate on Mr Ponsonby's motion to repeal an act for the suppression of disturbances, in 1797, the speech of Bushe is very remarkable for its clear superiority over the other speeches of the same night, in the apprehension and application of the real principles of the question of debate, as well as from the unswerving connectedness with which he followed out the course of his argument, and the entire absence of those declamatory expansions which always more or less show a feebleness of grasp, and a narrowness of range. We should also, observe a curious fact—the newspaper reports of the speech from which we shall presently extract, are far more full in matter, and finished in style, than any other speeches reported on the same debate. This cannot be ac-

counted for by assuming the well-known practice of preparing speeches before-hand, and obtaining their insertion ; because one of the remarkable characters of this speech is that it is not merely an opposition speech, but that Bushe, on this occasion, with a masterly tact, seizes on the arguments of the two principal speakers on the opposite side, upon the combination of which he frames his answer. It would be foreign from our design to enter upon the merits of the question that night before the house ; but it may be proper to observe that Bushe's part in the debate shows very forcibly the peculiar character so strongly to be traced in every part of his life, that clear and tenacious apprehension of principle, which never allowed him to be a political partisan. Having commenced, by some comments on Mr Fletcher's speech, Mr Fletcher rose to explain his language ; when he sat down, Mr Bushe proceeded :—"Sir, I did not wilfully misrepresent the honourable gentleman, and if I misconceived him, I am sorry for it. But, Sir, if I had not a strong feeling, and a serious conviction on this night's question, if I was obliged to argue in the mercenary and unfeeling character of an advocate, I could not wish for stronger positions on which to ground my opposition to the repeal of the Insurrection Act, than those which have been laid down by the honourable mover, and the honourable and learned gentleman, (Mr Fletcher). The first of these gentlemen has laid down as an undeniable principle, in which I altogether concur with him, that *the duty of statesmen and legislators is to administer public affairs according to the peculiar circumstances of particular times* ; and the other honourable gentleman, with that strength of language which he so eminently possesses, has described the present times to be *new, strange, portentous, and formidable*. After such admissions from such high authority, I should go out of my way if I argued whether the Insurrection Act was strictly agreeable to the spirit of the constitution or not ; for conceding for a moment that it was not so, I learn from the first of these positions that the legislature is completely justified in enacting and continuing this measure of coercion, as it has been called, provided the necessity existed for it ; and I learn from the other learned gentleman that the necessity does exist for it, and that the present times are strange, portentous, and formidable. But, Sir, I did not expect that the honourable gentleman who drew this striking picture of the novelty and danger of the present times should call with so much triumph, and so much doubt, for the proof of his own proposition. *Individual murders* (as he lightly called them) have been committed, says he ; but where is the evidence of that public danger which necessitates coercion ? where are the documents ? when was the inquiry ? I really do not know what evidence the honourable gentleman can require of any fact beyond the evidence of a man's own senses, and the deductions of his own understanding. To my senses, and to my understanding, the demonstration is complete ; and if the honourable gentleman has the same organs and the same intellects as other men, I know nothing left for him to doubt of, but the testimony of his own experience. The past and passing history of the country evinces beyond controversy, the truth of his assertion, that the times are portentous and formidable, at the same time that they contradict his inference by affirming his position, and refute his conclusion that the danger does

not create the necessity. It is upon this high and paramount species of evidence that a high court of legislature grounds its proceedings, and I am sure that the honourable gentleman does not wish to narrow us into a court of *Nisi Prius*, and to produce witnesses on the table by *subpœna ad testificandum* to demonstrate the deductions of every man's reason, and the observations of every man's experience: to go beyond such evidence and call for documents, appears to me the height of scepticism, and seems to revive the ingenious folly of that fanciful philosophy which asserted that all which *is, is not*, and proved the non-existence of matter by the evidence of our senses."

From this extract, it may be seen with what adroitness and force, and yet with what simplicity, and how much admirable method, the speaker has seized upon and shaped his argument from the statements of the adverse speakers. The following brief extract from the same speech will exemplify more than one quality of high value to the orator. After dwelling strongly on the proofs that there existed real dangers in the actual state of the country, he gives, in the following passage, a sensible illustration, which must have strongly impressed his hearers. "I pass by the inferior trials of the Defenders, though pregnant with proof in support of this fact, and I recall his recollection to that evidence which has driven the unfortunate Mr Rowan into exile and disgrace; to that evidence which produced the tragedy of Mr Jackson; and to that by which, and by the lenity of government, an unhappy gentleman now wastes upon the desert air of an American plantation, the brightest talents that I ever knew a man to be gifted with. Who that is acquainted with the fate and melancholy history of this gentleman, can doubt the deliberate plan which was well laid, and nearly executed, of invading this country by a French army, dissevering it from Great Britain, and establishing a democracy? I am sorry such a fact is so decidedly proved, and I am sorry it is proved in such a manner, for I never shall speak, or ever think of the unhappy gentleman to whom I allude, with acrimony or severity. I knew him from early infancy as the friend of my youth, and companion of my studies; and while I bear testimony to the greatness of his abilities, I shall also say of him, that he had a heart which nothing but the accursed spirit of perverted politics could mislead or deprave; and I shall ever lament his fate with compassion for his errors, admiration for his talents, and abhorrence for his political opinions."

We cannot here, as on former occasions, enter into the history of a time which has been already noticed in these pages, for the purpose of showing that Bushe was as clearly right as he was eloquent and effective. The justice of his exposition would indeed claim no praise, were it not for the fact that other men of high political reputation, who like him were inclined to popular politics, spoke and acted in defiance of the plain facts of the time, as well as the clear principles of the question.

At this period of his history we are enabled to trace him through the Leinster circuit, by several letters which are before us, and from which it does not appear that his professional employment was increasing to any considerable amount. But we find in his family correspondence the overflow of mental activity, and of those deep and fervent affections which through life continued to be the ornament and delight of the inner



circle of his home. We can also, in the same easy and unstudied effusions, discern, in its purest and simplest form, the same rich and graceful flow of fancy and feeling which characterized his conversation in the world, or his public displays of forensic eloquence. In his correspondence, these qualities are set off by a deeper glow of heart, which, restrained in public, or among strangers, by fastidious tact, or not called forth by the occasion, could not be conceived by those who only met him in company. It would, indeed, be an omission of one of the most distinguishing features of his mind, not to observe upon the aspect of character thus shown. His letters possessed a charm, never, in any instance we can recall to mind, exemplified in any approaching degree. In these, an unconscious facility of comparison and contrast, and a flow of just and pregnant observation, are enlivened and ornamented by the graceful gaiety which stamps them with the character of perfect ease, and throws a charm of repose over the periods which, from any ordinary pen, would bear the impression of labour. The impression we desire here, in the absence of examples, to convey, is, that the style of these compositions is not merely unlaboured, but that it carries in itself the internal evidence of ease.\*

Occasionally we find intimations of a retainer, but nothing for some years occurred to enable him to prove his powers as an advocate. The first occasion which really brought him into fair professional notice, was one which frequently occurs in the history of the bar. We have not at this moment in our possession any report of the trial at which it took place, nor is it indeed material; the fact is generally notorious. A cause of some importance, in which he happened to be retained, came on for hearing at a moment when the senior counsel was otherwise engaged. Bushe was next in rotation, and as his duty required, urged the necessity of delay. To this the judge would not consent, and impatiently asked if the junior was prepared to go on. Happily, the answer was affirmative, and he was peremptorily desired to proceed. It was soon felt that his client was no loser by the change; he showed a thorough command of the case, and his exertions were crowned with success. It was at once felt that a new and distinguished claimant to the honours and practice of the bar had established his place; and from this day, briefs poured in freely. Bushe was soon as involved in an overflow of practice, as he had till then been immersed in anxieties arising from the weight of hereditary debt.

It was some time in 1799, when he had become largely engaged in professional business, and had also attained a very high parliamentary

\* It may with apparent justice, be objected, that some specimen at least of the epistolary powers which we have described, ought not to have been withheld from the public. We have, however, to plead the limits which we were bound to keep. To such compositions as the letters in our possession, all specimens would be an injustice, and they must, when made public, be given in their integrity. We must express our deep regret that while the fame and name of Bushe were still recent and echoing, a full and separate memoir was not written and published. The time, however, has not yet gone by for it, and we could point to one of the chief justice's grandsons, already the biographer of Lord Plunket, who is amply qualified to do equal justice to his other grandfather. The writer of the present memoir was withheld from the task by the wish of one of Mr Bushe's sons to undertake it himself.

reputation, that Bushe received a visit at his house in Baggot Street, from two gentlemen officially connected with government, both most probably commissioned to treat for his services; one of whom, professing the most anxious friendship, apprized him of the very high consideration in which his character and abilities were held by lord Cornwallis; and told him that there were several situations vacant, that of the Rolls, of Attorney, and of Solicitor-general, to any of which he was considered eligible, and that he had but to choose and express his wishes. Bushe acknowledged that it would be most desirable for him to obtain any of these promotions; but that, looking at the political measures actually contemplated by the administration, he felt that some sacrifice of opinion, and of what he regarded as his public duty, must be looked for in return. That otherwise, if the lord lieutenant actually considered it fit and right on grounds of public service or private regard to promote him, he would do so; but that he himself would not sacrifice his independence by seeking any favour, or take office under the trammel of obligations. We state this incident explicitly here, because it is one of the utmost importance in the estimate of his character. In the memoir of lord Castlereagh, we give a brief statement of those arts of bribery and corruption by which the measure of the Union was carried in 1800. The mere purchase of a vote was not inconsiderable; but that of a man like Bushe was the highest; and not only promotion but still prospective elevation to rank and place would have been within the sure prospect of venal talent. But he, who, as we have just seen, had the rare manliness to spurn the clamour of mere nationality, and to resist the impositions of popular enthusiasm and prejudice, while he still held the steady line of unswerving patriotism, has equally shown his firmness and incorruptible integrity by trampling on the temptations of ambition and the flatteries of power. The case is not the same as that of some other great men who took the same part: there were few indeed of these who had not so committed themselves with the rebel party, or who were not so wholly united in spirit and principle to the popular party, that it was not in their power to recede, without an infamous abandonment of their very identity as public men; to such persons, the highest elevation could afford no shelter for their pride. That such were the motives of those great men we do not insinuate; we merely mark a difference of position. We mean that such motives, were there not higher, must have restrained them. But Mr Bushe stood wholly unfettered by such ties; he stood not more clear of Castle influence than elevated by his independence of character above the exactions of popular caprice; as he disregarded the cant of patriotism, so he repelled the splendid corruption of power. Had he been for the Union, he could, with less reproach than most others, have taken the part of a government which made such an effort to secure him. But in common with many others, he entertained opinions hostile to that measure. In claiming for Bushe, in common with his eminent compatriots, the high praise of independence and integrity on that memorable occasion, we are excluding the doubtful question of policy. They were men of the highest intellectual powers—they were fine scholars, eloquent orators, and able lawyers; but it no more follows that they were or could have

been profound statesmen than skilful painters. To have comprehended the whole, and still more, the remote consequences of a measure like the Union, at that period, demanded a political education in a school different from the arena of lawlessness, antisocial opinion, and administrative corruption, then existing in Ireland. Lawyers, no doubt, may be assumed to have the most just insight into the principles of the legal constitution of the nation; beyond this, and this is little indeed, their very knowledge may be observed to carry with it a remarkable inaptitude for the full comprehension of the much larger questions which depend on the relation of the laws and institutions of the country to its social and economical condition. There is between positive institutions and the great law of social progress, a species of contrary action which we have already pointed out; and this contrariety will mostly be found marked in the intellects of great lawyers as compared with those of great statesmen; not from any real difference of intellectual stature, but from difference of mental habits. The objections to the Union then put forward by Bushe, Plunket, Saurin, Grattan, and Magee, were not merely specious, but just, so far as they could go; and what is more, we think their truth to be more evident than that of the reasons on the opposite side. But the former lay upon the surface; they were obvious first and immediate consequences, which were palpable to the dull eye of popular sense. The same may be said of most of the arguments for the measure; but in fact the question in its remoter and ultimate bearings was then and perhaps is still an open one. The inevitable progress towards an intense and irresistible centralization could not have been foreseen, and is yet but partially understood. It could not be foreseen by human foresight, that a state of things might possibly arise in which a parliament in Dublin would be absurd as one parliament at Westminster, and another at Blackwall.

But setting such considerations aside, and referring to the discussion on the night of January 21, 1800, we have no hesitation in assigning the highest merit to the admirable speech made on that night by Bushe. It was not, like those of Grattan and some other eminent men—a speech to be represented fairly by extracts. The staple of his eloquence did not consist in wrought up passages; he did not deal much in those elaborate parallels and contrasts which are the popular instruments of speech, but in a more refined and consummate play of mind, which, as it grew out of his line of argument, diffused its even light and grace as well as its effect and impressive power over the whole. The subject of that night did not in a great measure admit of the peculiar graces of his style, but it pre-eminently brought forth some of his graver and profounder qualities. Too earnest and too clear to indulge in the rhetorician's lighter play, his power was shown by his close and unrelaxing grasp of the previous speakers to whom he rose to reply. In consequence of this, his speech exhibits a peculiar play of what might not inappropriately be called logical wit, by which, while he follows out a masterly statement of his own views, he seems to dally and sport with the inconsistencies of his opponents. Looking to most of his rivals (if we may so term them), a dry statement of fact and argument is now and then wound up by a few sentences of great effect. Bushe's statements, as simple in expres-

sion and as true in sense, were never dry, but always adorned with a phraseology of which the point, propriety, and terse arrangement, conceal the idiomatic simplicity; more truly, indeed, answering to the *simplex munditiis* of the Roman poet than most results of art we can recall to mind. These considerations are essential to any specific view of his parliamentary efforts. In his bar speeches we shall need no such qualification. In these, a wider play was afforded to his unrivalled powers of advocacy, his playful fancy, his keen and fine satire, the dexterity of suggestion, and the power of narration, in which it is at least doubtful if he has ever been equalled. But of this hereafter, our business is now with his speech on the Union.

As specimens of eloquence, we might take any passage of this speech, and may therefore first select one with reference to a consideration already explained in this memoir; that is, the vindication of his consistency against a species of accusation which has often been preferred against him, as well as other eminent men, by quoting their speeches made on this occasion. They who would draw any such unfair inferences from such matter, will do well to read attentively the *whole* of Bushe's speech against the Union, and see to what principles he refers, and on what ground he argues. If they will not practically allow for the great real changes which the state of a question may undergo, they may find, in statements such as the following, reasons for a charge different from inconsistency:—"But this is not all, the government of the country has appealed from the decision of parliament, and to whom have they appealed? Not to the constituent body constitutionally recognised; not to the electors of the kingdom; nor the freeholders; but to the people" individually; abusing that most monstrous proposition of reform and innovation—I mean of universal suffrage—and canvassing the rabble of the kingdom against the constitution of the country. A government wielding the whole influence of the crown at the head of every department—the army, the church, and the revenue, exercises all its authority to procure individual signatures as a counterbalance to the opinion of the representatives of the people in parliament assembled." This reproach involves both a feeling and a principle which is wholly at variance with the entire mind of those who have thought proper to quote Mr. Bushe for their own support, or who have set him against himself. He in reality never entertained those views which are now held by the popular party in Ireland. As public questions then stood, the distribution of opinion and principle was wholly different, and to those who take the trouble to think strictly, such comparisons are soon found devoid of meaning.

The following passage offers more of the orator, but is also full of historic interest. "I should be glad to know, Sir, if this amendment be unnecessary, of what use have been the campaigns and perambulations of his excellency the lord-lieutenant since the last session of parliament? Why has his excellency subjected himself to the fatigue of so many marches and countermarches? Why did he think it necessary to write down the constitution of Ireland in a correspondence, through his military secretary, with the seneschal of every close borough, with whose patron he had previously communicated, and with every parish priest who was sufficiently complaisant to induce his



flock to sign manifestoes against the parliament of this country, if, after all, the crown is to meet the parliament, blinking and skulking from the premeditated determination of extinguishing it for ever."\*

As we have said, it is one of the highest praises of the speeches of Bushe, that they are not to be adequately represented by extracts, as for the most part they consist in a single and uniform tissue of reasoning and statement, flowing from a deep and vital grasp that seldom relaxed enough for the small ambitious art of compounding sentences. The speech from which the foregoing extracts are given—by no means for any rhetorical peculiarity—is throughout distinguishable for the power of applying constitutional principle, or for the prompt dexterity with which weak points are seized, or by which seeming advantages on the opposite side are converted into points of attack. But we have still a lengthened task before us, and must retain scope for specimens of maturer art and power, in the bar speeches of this illustrious advocate.

After the Union, Bushe, in common with other eminent men of the day, entertained strong apprehensions for the future respectability and prosperity of his own profession in this country, and had nearly made up his mind to try his fortune at the English bar. Such a change must have placed him under many serious disadvantages; but we can safely say that his qualifications were not of a nature to be lost in the crowd. It so happened that the measure which he had so ably resisted, was favourable in its immediate consequences to himself. He was not, as was the case with many, an opponent to the administration either from party connection, or from any popular feeling; he had never been led to commit himself to any line of party conduct. Having taken for his rule of conduct solely the sense and spirit of a constitutional lawyer, he had met all such questions as had claimed his attention as a member of parliament, simply on their legal and constitutional merits. He had supported the lawful authority of the government against extreme opposition, to which he never had lent his sanction. He had not less strenuously joined in the vindication of such popular rights as met with the assent of his own independent reason. To what extent in this lofty course he may have been misled, or the contrary, it is no part of our present duty to say; it was the part of a noble and generous mind, that could never be won or daunted, though it might, with all that is human, err. But to him its result was, that the immediate effect of the Union left no important difference between him and the government. And as his reputation had then attained a high level, the discernment of Pitt, which had early marked him out for promotion, was not slow to seize the earliest occasion which offered; and in 1803, on the dissolution of the Grenville administration, he was raised to the rank of Solicitor-general.

\* The point of this language depends on the manner in which the question was brought before the house. The measure of the Union had been rejected in the former session, and the minister thought it necessary to keep back the discussion till he was prepared with what was not inaptly called a "packed parliament;" all mention of it was therefore omitted in the king's speech. To resist this design, the question was on this occasion brought forward by the opposition, in their motion of amendment on the address.

In this first step, which may be said to have secured his prospects, some able and eloquent writers, themselves possessing popular views, have discerned difficulties, and others found matter for censure, with neither of which we agree. Against the assumptions of both, we have already in some measure guarded, in shaping our former statements; but as these statements are express, and have been often repeated, we must here add a little special comment. We have, in the foregoing paragraph, described the independent character of his political conduct; but though he did not in the slightest degree sail in the wake of popular leaders, or still less by the breath of popular opinion, yet as for a long time his own views held him in the same course with the Irish opposition, in some great and leading questions of policy, he had thus actually gained a popularity which he never sought, and obtained also the reputation of holding the same general views of those with whom he had acted. From this arose some very natural, and therefore excusable errors; for a character was imputed to him by the undistinguishing heat of popular opinion, and by this character he was judged. Lesser points of opposition were soon forgotten, and his real views of principle were not yet known but to intimates; and in this country, in which all courses of action were on the popular side extreme, and on the government side assumed to be so; when all was, in the parlance of popular oratory, resolved into a vital contest between despotism and patriotic resistance, there existed no sober predicamental line to which to refer the rights of both. Hence arose mistakes which never have been cleared up, because the facts have never been looked at without some bias to either side. It has been thought that, by this promotion, Bushe was placed in a somewhat false position, in which he was compelled to support a line of policy on the part of the Attorney-general, which was contrary to his own opinions; and, consequently, that he must have been led to trim his notions to meet the requisitions of his personal interest. Somewhat more delicate language has of course been used; but to repel such insinuations, it is necessary to be explicit. We entirely, and in the most unqualified manner, deny that any change in any real principle of action or opinion, is to be detected in the whole of Mr. Bushe's conduct, from first to last. Some changes his mind underwent, in common with the best and ablest thinkers—the state of questions changed—the action of laws changed—the entire texture of parties changed—the relations of claims, relative position, and social processes between parties and nations have changed and been changing; and even in the interval of time between the parliamentary and official engagements of Bushe, there occurred incidents of no slight nature, well adapted to impress thinking men with strong doubts of the soundness of their views, who till then had been the organs or the leaders of popular feeling in Ireland. But indeed, even this consideration ought to be unnecessary—as the ardour of youth subsides, and sober experience begins to give its indispensable aid to the right understanding of public questions, much change of conduct (did such appear) might be looked for in any one acting sincerely from principle.

There ought surely to be no doubt as to the interpretation which Bushe must have put on the revolutionary principles of the United

Irishmen. Emmett's rebellion finds no sanction in any of his speeches or conduct. Bushe resisted the Union because he thought that measure fraught with ills—and his view stands recorded with all his reasons; but the same sense which led him to resist the popular members in 1797, in the debate on the insurrection act, operated to convince him, in 1803, and succeeding years, of the duty and the necessity of supporting the laws and government, and the peace of the country, against lawless factions. Those indeed who best knew him, and who were most competent to form an opinion of him, are aware that if such a fault can be said to exist, it was his fault to cherish the very shadow of a principle, with a stern and uncompromising tenacity, in all matters in which conduct was involved. They who knew him superficially, could not so well detect this habit, in him peculiar from its amount; as in ordinary conversation it was wholly concealed by its singular freedom from the pedantry of dogmatizing in social intercourse.

With respect to the actual merits of the line of policy which was then administered by the law advisers of the crown, we cannot speak in the present memoir. Though friendly to the objects of his fellow countrymen of the Roman church, Bushe is not to be therefore assumed as favourable to the course then pursued for the attainment of their objects. In connection with his able colleague in office, Saurin, he considered it quite fit for them to look for a disengagement from every constitutional restraint; but it is not enough considered, that he looked on their proceedings with a lawyer's eye. The means were illegal; they bore also too close an analogy, both in form and in the language used, to the similar proceedings of an unfortunate period, of which he was himself a living witness. Some distinctions there did exist, but these were then scarcely palpable. We only make these remarks to express our general dissent from some comments, which have dropped from other writers, on the position in which office must have placed him. He loved the people, but cared little for popular praise or blame; his respect for truth and right left no room for such an infirmity. And we must further remark, that the bland and graceful suavity of his manner has been also a means of leading casual observers into a notion, not only in itself fallacious, but likely to contribute to the false impression here discussed. We cannot recall to mind any instance of a man more direct and single-minded in the principles of his conduct, or in the feeling and spirit which governed its uniform and unswerving course. Like all persons who love to reciprocate good will, and who shrink from stain, he could feel injurious comments; but it was only when they followed him into his retirement—when the fight was over. In action, he defied comment, and spurned apprehension, and had no hesitations but those from which fools alone are free.

The first remarkable occasion which brought Mr. Bushe forward in his official character, rose out of the trials in 1811, of which we must offer a brief account, for the purpose of rendering intelligible some extracts with which we shall follow it. In August, 1811, several persons of respectability were arrested in Dublin, on a charge of attending a parish meeting to elect representatives of the Irish Roman Catholic body, "for the purpose or under the pretence" of preparing petitions to parliament, contrary to the provisions of the Act 33 Geo.

III., commonly called the Convention Act. In the following November, they were brought to trial in the King's Bench. The occasion was one of great public interest, and the court was crowded by all parties. It ought to be observed, that it was purely the trial of a question as to the power and interpretation of the law, as the Attorney-general had no intention of carrying the proceedings to a penal result, but simply sought to vindicate the law of the land as it stood. In the course of a long and obstinately contested trial, many points of dispute, as usual, arose. The main point was, of course, that of the express violation of the law—"the election or appointment of assemblies purporting to represent the people, or any description or number of people of the realm, under pretence of preparing or presenting petitions." On this act, there were two prosecutions in the same year, both occupying the same grounds. For as the jury brought in a verdict of not guilty in the first instance, grounded expressly on the insufficiency of the evidence, the offence was repeated, and it became a direct and open question between the law and the convention of delegates. Each time the reply on the part of the crown fell to the Solicitor-general, and we have two speeches of admirable wit and power, to supply us with specimens of his manner. Our examples are really what we term them—not elaborate flights, or keen flashes such as come few and far between, but specimens of a flowing and spontaneous style, remarkable for its aptitude to the purpose of the moment.

The following is a sample of its elegance and point, half concealed by its terse propriety. It exhibits also much of the dexterity of which he was a master, in throwing an aspect of absurd contradiction over the defence of the adverse counsel. An elaborate and prolix examination of the witnesses, for the purpose of breaking down the *proof* of the facts, was followed by a most powerful speech by Mr. Burrowes, which assumes their reality, and defends their legality and justice. After pointing out the plain fact, that if the allegations of the indictment were false, the defendant could contradict them by producing numerous persons who were actually present in court, Mr Bushe goes on—"You are called upon rashly to disbelieve what they will not controvert; to impute, by your verdict, perjury to those witnesses for the crown; and to declare on your oaths that you do not believe that which they will not deny. Gentlemen, I am at a loss, in discharging this duty, to discover what I am to reply to: one counsel asserts his client's innocence, in point of fact—the other glories in his crime in point of law;—nay, the one-half of each counsel's speech is an answer to the other; they alternately rail against the witnesses, and declaim in favour of the offence. What has been their conduct as to Mr. Huddleston the remaining witness? What has been left unsaid, or unattempted, in his cross-examination? Two hours of precious and irrecoverable time have been consumed in attempting to discredit a witness who has only proved the proceedings of the aggregate meeting of the 9th of July, at which lord Fingal presided. No suborned miscreant, who had attempted to swear away an innocent man's life, was ever treated with more asperity. No advocate, retained for a felon at the *Old Bailey*, ever plunged more desperately through a cross-examination, trembling for the wretch whose only defence was



the hope of confounding his prosecutor, or supporting his *alibi*. The man's feelings were agonized—he was stretched on a rack and tortured—his private life anatomized—his most secret sentiments scrutinized—he was called on to swear to his religious opinions; and, even in this court, public disgust was clamorously excited, by exhibiting him as a recreant from the religion of his ancestors—his birth, his connexions, his country, his faith, his morals, his circumstances, all ransacked—all exposed. He was asked, was he not a deist—was he not an atheist—had he not been a Catholic—was he not a Protestant—had he not been an officer?" . . . . . After adverting to the avowed purpose that all this questioning was to shake the witness's credit, "Gentlemen, why so shake his credit! It required not the storm of Mr Goold's eloquence to subvert it—a breath from lord Fingal would have dissipated it. That noble personage sat under your box at the moment, and sits there now." We add here another striking and most characteristic description of the cross-examination of another of the witnesses:—"You, gentlemen, must judge for yourselves as to the effects of his cross-examination, and if you are able to form any opinion of it, your heads and mine must be made of very different materials. My learned friend, Mr. Burne, must not suppose me to insinuate that his discharge of his duty was unnecessary or prolix; he must permit me, however, to say that it was somewhat prolonged. No one discharges his professional duty with more ability or effect than he does; but he will remember (I am sure I shall never forget it) that he examined John Shepherd for three hours and a-half, 'by Shrewsbury clock:'—there are limits to the human faculties, and I must confess that, at last, mine were so exhausted by this process, that I was unable to carry away a definite idea, or even a distinct sentence: the victim on the table at last swam before my eyes, and some confused, buzzing sound, like a catch-word, in the examination notes, drafts, copies, informations, rang discordantly in my dizzy head, and tingled in my ears. Gentlemen, if such were the effects produced upon a mere suffering auditor, what must have been the sensations of the witness himself? and, let me ask you, if the man had fallen into contradictions and inconsistencies, who could have been surprised at it? who has sufficient confidence in his own memory or nerves, in his own strength of body or mind, to suppose that he could come out from such an ordeal more than alive? let me put it to the candour of my learned and ingenious friend, Mr. Burne—how does he suppose that he would have endured such a *peine forte et dure* himself? let him imagine himself nailed to that chair, and that chair fastened to that table, and another Mr. Burne—if another could be procured—sitting down in regular assault before him, and for three hours and a-half battering and beleaguering him like a besieged town—let me ask him how he thinks he would feel about the time that his adversary became tired of the attack! really, gentlemen, nothing is so unfair as to judge rashly of a man's credit who has been exposed to such a trial."

The dexterity here displayed it is easy to appreciate: nor is it necessary to call the attention of the reader to the propriety, and point of the diction. It will be at once felt how much of dignified intellectual composure every sentence suggests, so that his very manner is made to

tell. All this, we think, is at once conveyed. But no extracts can convey the fact, that this is not a selection of a peculiarly happy passage from the ordinary flow of a more common style; that we have selected it without regard to style, merely looking for a passage capable of being so detached without losing its point. But when all this is said, a more important criticism remains. The Solicitor's speeches seldom convey an impression of the apparently profound character which so often gives a kind of imposing effect of power to those of many of his great competitors, who seem to be moving in deep waters, often where their opponent appears to glide upon the surface: and this has misled inadvertent criticism. But let it be observed, that the apparently simple and easy common-sense reply never fails to drag up, from their erudite depth, the arguments of his adversary, and to show their entire fallacy. His extraordinary simplicity, and the elementary tact of his perceptions, deceive the reader, who thinks too lightly of the art so well concealed, and too respectfully of the effort involved in a darkness of its own creation. To an artful appeal of Mr. Burrowes to the public feeling of the jury, the Solicitor replies, "He has called upon you for a *healing* verdict, and has told you that the last verdict was *most healing*. Gentlemen, I shall never hear, without reprobation, such a call upon a jury: I trust that no such dreadful precedent may be established, as the finding of popular and political verdicts. If the public mind requires to be healed, I trust that the consciences of jurors may never be bruised into a nostrum for the purpose; that jurors may never turn state empirics, and fancy that they are prescribing for the distempered commonwealth; that they are politicians, and not jurors; and that they are at liberty to perjure themselves for the good of their country. No verdict can be righteous which is not founded upon the evidence, and the public weal can never be advanced by frustrating the administration of justice. In the name of God, if you disbelieve the evidence you have heard, nay, if you reasonably doubt it, acquit Mr. Kirwan—if you do not, fabricate not doubts for yourselves, which no fair mind or sound head can sanction, merely to achieve what you may think a public good. Take the law from the court, and for fact consult your understandings and your consciences, but compromise not your oaths, and trifle not with your solemn duty."

We repeat, that it is our desire to have it understood that our extracts are fair specimens of the ordinary style of this illustrious man. He, too, like every orator, rose into occasional flights of a more ambitious style; but these we have not quoted; they will be met in other repositories.

We shall avoid inconvenient repetition, by postponing another great cause, in which the Solicitor earned high distinction, until the next memoir, in which we shall offer some notice of the "*King v. Waller O'Grady*." Nor can we enter upon the details of the case of lord Trimbleston, in which his statement was one of most consummate skill and power, displaying indeed all the various resources of his mind in a most eminent degree. On that occasion, the Solicitor's wit, address, judgment, and that profound knowledge of mankind which is the advocate's chart and compass in threading the tortuous ways of

fraud and secret guilt, are admirably exemplified; and we would recommend the trial, and above all, the speech, to those whose ambition it is to rise in the same department of professional life. It would be some injustice to omit this opportunity to introduce the remarks of Lord Brougham, for which this great cause gave the occasion—"His (Bushe's) merit as a speaker was of the highest description. His power of narration has not, perhaps, been equalled. If any one would see this in the greatest perfection, he has only to read the inimitable speech in the Trimbleston cause: the narrative of Livy himself does not surpass that great effort. Perfect simplicity, but united with elegance—a lucid arrangement, and unbroken connection of all the facts—the constant introduction of the most picturesque expressions, but never as ornaments—these, the great qualities of narration, accomplish its great end and purpose—they place the story and the scene before the hearer, or the reader, as if he witnessed the reality. It is unnecessary to add, that the temperate and chaste, and even the subdued tone of the whole, is unvaried and unbroken; but such praise belongs to every part of this great speaker's oratory."\*

The space to which this memoir must needs be confined, does not permit of a more extended view of the merits of our illustrious subject as an orator, still less to enter at large on the consideration of his pretensions as a lawyer. In this respect, we are persuaded that his just claims were much interfered with by the fame of his wit and eloquence. With whatever degree of truth, popular opinion seems to have imagined an opposition between the dry and laborious learning of the black letter sage, and the brilliant and dazzling accomplishments of the advocate. As an advocate, Bushe has seldom been equalled; and we cannot admit that he has ever, in modern times, been excelled. Further, we are prepared to contend, that it is fully ascertainable from his bar speeches, that he was in no way wanting in any of the intellectual powers essential to the graver and deeper departments of his profession. If in this respect he was below such men as Saurin, it was simply in learning, the result of study; but as to the profound capacity for acquirement, no one who will attentively peruse his masterly answer to the admirable argument of Mr Burton, in the Court of Error, on the O'Grady case, will entertain the slightest doubt of the first-rate rank of his legal capacity. And it is very much to be observed to what an extraordinary extent his profound native sagacity enabled him to apprehend results, which seem to have in some measure lain beyond the scope of his own research. His fine perception of the point at which a dexterous or an unwary fallacy lies concealed in an adverse statement, is often to be observed, as well as the singular promptness which appears always ready to seize a hint, or to make the most of an inadvertence. He did not himself pretend to rank in the highest class of legal attainment; his taste and his understanding sought a scope far too broad for the demands of the most laborious and deep, yet not most comprehensive of sciences. His attainments as a mere lawyer, were far above the level of second-rate men; but with this, he was a poet, a wit, an historian, a philosopher, theologian, and first-rate scholar—a man, if the number as well as the excellence of

\* Historical Sketches, &c., by Lord Brougham.

his attainments and gifts be considered, whose equal is not likely soon to be found in the history of the bar of either country.

On the incidents of the remaining portion of his life, we must be comparatively brief. In the interval between his appointment to the rank of Solicitor-general and his promotion to the bench, we shall only here dwell upon one very important incident—his acquisition of the seat and demesne of Kilmurry, which his father had been compelled to alienate. When he had attained professional independence, and his bar successes had completely relieved him from the anxieties attendant on the *res angustæ domi*, and the pressure of a large and increasing family, his first care was to secure the comforts of his mother, whose provision was not commensurate with his wishes or her deserts. The next, was the redemption of the place of his birth and earliest recollections. Kilmurry had passed into the hands of Dr Hoskyns, and was on the point of suffering some considerable dismemberment of its old and beautiful timber, when it happened that the Solicitor paid a visit to the neighbouring mansion of Kilfane. He had long meditated the purchase of his paternal seat, but would willingly have deferred this purpose for some time. The irreparable loss of the fine old trees, was, however, he strongly felt, to be prevented at any inconvenience, and he at once made his proposals, and became master of the place for which he had long cherished a deep sentiment. Here his vacations were spent for many years of that calm prosperity which, when earned by a life of previous trial and industry, and set off by the enlightened and tasteful enjoyments of the most cultivated minds, is so delightful to the contemplation; and never in any instance within our memory or reading, was human life more exalted and adorned by such accessories. Kilmurry is situated within about a mile of Thomastown, in the county of Kilkenny. The house is situated advantageously with respect to the general disposition of the neighbouring scenery: the hills at its rear, and the more gently undulating open country in front. The lawn, with its rich planting and pleasure grounds, runs into the more spacious park adjoining to the north and northwest, and terminated by the woods of Kilfane. In the rear of the house lies the farm, with its various adjuncts, terminated by the first gentle acclivity of the screen of heathery hills to the north-east, which are the boundary of the mountain and lowland regions of the country. The place, in its richness, freshness, and calm secluded expression, conveying rather the idea of some bright and fair Tuscan villa of the Medici, than a mansion of the sporting county of Kilkenny, was (it is needless to say) to its owner enriched by many affecting associations. The Solicitor was equally blest in his friendly neighbours, in his tranquil and beautiful retreat, and in his own home circle. Of his neighbours at Kilfane, we have already said a little. One gravelled walk ran the whole way from the door of Kilmurry to that of Kilfane—the two demesnes being separated by a hedge and lofty screen of trees, through which a narrow gate admitted the inmates of either. The intercourse thus favoured, was almost domestic; and as the families were near connexions, so they were attached friends. The late Sir John Power was a man dignified by all the virtues of a country gentleman of the olden time—hospit-



able, generous, affectionate, and sincere, he was as much loved for his goodness, as he was respected for the quiet and unassuming good sense, and the steady integrity which deserved, and won, universal confidence. Of his wife we may say, that she combined in herself the lineage of Grattan and Bushe, and did no discredit to either. Of the inner circle of Kilmurry, which constituted the pride and happiness of its illustrious master, we can only say, in general terms, that more talent and more goodness never came together in one home. We cannot venture on the separate notice of individuals, because we frankly confess that our own long-cherished feelings of respect and affection would place it beyond our power to be impartial.

With such a happy constitution of his home society, the Solicitor was no less disposed to enjoy and promote its happy influences. There was, however, no company so dull that his wit could not enliven; nor any topic, to which he could not give an interest. One quality was very observable in his entire conversation and demeanour—it was the utter absence of assumption; there was nothing in his manner to remind the dullest of his guests that he was conversing with a mind that towered far above his own—he did not himself recollect this disparity, but freely placed himself on a level with his company. If he was misunderstood, he showed no irritation—if any one fell into an absurdity, he was prompt to shelter him with a friendly play of wit—if contradicted, he listened with docility—he never attempted to put any one down—and never allowed uncharitable comments to pass without rebuke.

Such is a faint and imperfect sketch of the man in his own private circle. In the interval which intervened between the last-mentioned events, and his promotion to the bench, two of his daughters had been married; the eldest to Sir Josiah Coghill, who, having taken a place at Ballyduff, within about three miles of Kilmurry, thus afforded a happy addition to the family circle; the second, to Charles Michael Fox, son of Judge Fox—a young barrister who, before his death, had already made good his way to the professional distinction which he was not allowed to grasp. Four younger daughters, and four sons, completed the circle.

We must now, without further delay, pass over an interval of life, which affords few events demanding notice in a sketch intended to be brief.

In the year 1822, an important change took place.

From this period it will be needless to pursue into minute detail the history of a course which must be regarded as having reached its elevation to the summit of professional rank. The appointment of the Solicitor-general to the vacant station of chief judge in the King's Bench, may be regarded as a necessary consequence of the refusal of that high office by the Attorney-general, in whose memoir we shall state the circumstances. If any act could have atoned for the unhandsome treatment of the latter, it would be the appointment of Bushe to that station. For the position of chief justice he was most singularly qualified by a mind pre-eminently judicial in all its faculties and tendencies. With a love of justice which almost amounted to a passion—and was in him what party feeling is in others

—he possessed an intuitive grasp of all principles, so firm and complete, that, in the same way in which a clear intellect will sometimes seize a meaning when grammatical pedantry is perplexed, he was sure to light, on an application, rule, or interpretation of authority, where it lay concealed amid a multitude of imperfect cases, and vague statements. Whatever we must suppose to have been his actual possession of legal erudition, one thing is verified in all his practice—his entire and perfect knowledge of the *science* of law; and, in consequence, his promptness in rightly grasping the true intent and application of precedents and authorities, and detecting the fallacies to which the advocate is so often compelled to have recourse for his purpose. The rare qualities here ascribed to Bushe, were eminently those suited to the King's Bench.

With whatever knowledge of law he came to the bench, he soon vastly increased it, and his judgments are remarkable for that correctness, clearness, brevity, and elementary truth, which belong to the master only, in any walk of science.

From the period of his elevation to the bench, the life of the Chief-justice ran for several years smoothly in the calm alternations of his official duty, and the relaxation permitted by the summer vacation which was passed in the tranquil yet happily social retreat of Kilmurry. Here, his best thoughts dwelt while away, and when he returned, it was easy to see that the cares of public life were left without the gate. With all his wit and sound worldly sense, he possessed, more than any one we can recollect, the buoyant and fresh simplicity of a child. There was in his conversation and manner, among those he loved, a naïve yet sparkling *folatvie*, which was infinitely engaging, but was not shown among any but his most familiar friends; indeed, his natural temper was very remarkably inclined to a playful and easy gaiety. The grave formalism, which some strangers have mistaken for art, might not ill be explained by the saying of Henry IV. of France, when he was engaged in some trifling sport, and perceiving the approach of some court coxcomb, he turned to his companions and said, "my friends, we must be wise, a fool is coming." Possessing in himself, and in the bosom of his domestic circle, all that society can give, and more than it ordinarily gives, to exercise the mind and the affections, he did not look with much interest beyond it. Of no party in politics, and strongly convinced that a judge should stand aloof from all party, his reading and conversation were directed to general literature, and he indulged his mind with the most reputed writers of the age; but he read all with a frank estimation of whatever was good in them rather than with a fastidious discrimination of faults. This was by no means the turn of his genius. Severe in his notions of excellence, when referred to the canons of strict principle, he was yet indulgent in his judgments, and judged books or men much more by their merits than by their defects. His satire, the result of wit and nice discernment, never came from the heart, the common source of satire in others; and hence, though it often conveyed a lesson, it never inflicted a wound. He was fond of entering upon those philosophical questions which have always been pressing themselves on reflecting men, and which are occasionally most delightful for the exercise they give to the activity

of the speculative faculties, rarely exerted in the common affairs of life, or by those who are engaged in them. But he never appeared to higher advantage than when he was led into discussion of a favourite author with some qualified companion; for in mixed circles he rather discountenanced such discussions, as not having the same uniform interest for all.

Among the amusements of his hours of relaxation, he occasionally indulged in composition, in which his facility was very considerable. His topics were, however, ordinarily selected among the passing occurrences of the day, and mostly directed to his own circle. With a high capacity for literature, it has indeed been often made matter of question, why he never in his later years wrote for publication. To understand the reason, it was necessary to know him well. A very generally remarked disposition to please, the result of a rare kindness of temper, was very commonly referred by strangers to something ambitious in his character. It is, however, a curious fact, ascertained by very close and long observation, that in the ordinary form of this disposition, he was very unusually free from ambition. He was not proud—he had no grasping desire for station—popularity he spurned—and no praise could satisfy him, of which he did not thoroughly feel the perfect justice; but he loved the reciprocity of kindly affections, he enjoyed the happiness of others, and took pleasure in touching the chords of the breast, and awakening the powers of the intellect. This disposition, like every active impulse connected with the social affections, naturally communicated itself to his countenance and manner, and entering into combination with other characteristic habits, gave a winning and persuasive grace to his look and action, which, while it was quite unconscious, was thought by strangers, and by those who could not feel its genuine character, to be art, and the immediate result of design—a mistake indeed so absurd, that we should not have noticed it here, had it not been in some measure perpetuated in the works of a very clever and even friendly writer. If we must admit the fact that the Chief-justice had been, in his bar practice, what Mr Kemble with much justice observed, “the most consummate actor off the stage,” yet the rash and hasty assertion of some of his admirers will not follow. A man whose taste and feeling imparted a graceful manner to a graceful person and expressive countenance, in the most unconscious movements of private society, of course employed in art all the resources of nature. But it seems unfair for a stranger to generalize this into the imputation of a habit, so wholly repugnant to the real character and temper of this judge’s mind as *affectation*; for however qualified, such is the sense of the remark. We do not here bring forward the writer whose language we have excepted against, because we are inclined to believe that he would not have carried his charge so far; but such is the actual impression which he conveys, and it is a false impression, as applied to one of the gravest, sincerest, and most single dispositions ever known in combination with such an intellect.

Among the poetic pieces which have been preserved by the care of friends, the best are those of which the character is playful. He was not possessed of much imagination, but in amends, he was master of a

boundless fancy. In the direct expression of the more grave emotions, he was true and fervent, but too direct and literal to look for poetic effects—his temper was too earnest to sport and dally with passion; but in the genial moods of social excitement, and in the light, evanescent, and brilliant gleams of satire, sentiment, and characteristic circumstance, which in the most polished society may be said to play along the current of the hour, in these his wit and fancy could revel in peerless abundance. That keen and luminous flash which seldom was wanting in his conversation, was also as free and bright, though not quite so undesigned, in his fugitive verses.

Of a more important and graver character, were some of his compositions in prose. In these, too, it is to be observed, that the same general impulses—that is to say, the whim of the hour, or the want of relaxation which sometimes gains possession of the studious—mostly gave the occasion and produced similar results; compositions in which a playful vein of satire was used to create amusement in the home circle, and be thrown aside. But it has also occurred, that his mind has been roused into more serious and strenuous exertion by more important occasions. Among the more serious performances of this character, it will be enough here to particularize one which, owing to circumstances, is now in the hands of the public. There was no topic which seems to have been regarded by him with so much interest as the main doctrines and the evidences of revealed religion. It was the peculiar cast of his mind to be very deeply impressed by the results of his reason in all concerns, but most in those of which he recognised the practical importance. Having once concluded on the truth of the gospel, he implicitly followed it out into its consequences; and contrary to the ordinary bent of the world, the strong sense of its importance, and urgent claim as a reality, took possession of his uncompromising and unsophisticated understanding. The shallow and sophistical dexterity, which so frequently appears in resistance to so plain and clear a light, moved his indignation at all times; but when it showed itself among those whom he cared for, it grieved him deeply. He felt it as an affliction far more serious than any temporal calamity or social shame. This being considered, it will be felt that when a direct application for information on the subject happened to come from a person in whose welfare he took interest, the call was responded to with alacrity. It was on such an occasion he took his pen to answer a question as to the best course of reading for the purpose of a fair investigation of the full evidence of Christianity. To draw up a full notice of the best authors, and of their several arguments, was to him no task. He executed it with ease, precision, fulness, yet with a lucid brevity; connecting the able writers, so as to compose together one great argument, followed out through all its parts, like the summary of a judicial address, which brings together the arguments of the counsel on some great question. Such is the general intent and character of this essay, of which, as it has been given to the public by the editor of this work, and writer of these pages, we cannot properly say more in this place. It should, however, be added, that it was not composed with the remotest view to publication, this having been wholly the act of the editor. Of the circumstances, and of his own



motives, he has given a sufficient account in his introduction to that publication.

It is worthy of curious observation, that the peculiar character of intellect exemplified in that essay, is in a very remarkable manner indicated in his judgments. In these,\* so far as we have been enabled to form an opinion, there is great force and clearness of statement, derived from a very admirable quality which was in a remarkable degree characteristic of the Chief-justice—we mean the faculty of orderly arrangement. This indeed is nearly a necessary consequence: these perceptions are themselves the very first conditions of orderly arrangement; they are also, it will be allowed, those of just judgment. Hence the admirable statements which will be found in most of his judgments, by which, after a long hearing of counsel, the principle is made apparent often in a lucid sentence, in which the argument, stripped of its complication, and of the dexterous misstatement or heavy circuitry of the advocates, seems to fall into some brief form, clear, precise, and logical.

These reflections very appropriately lead to some notice of one of the few incidents which occurred to vary the even course of the life of a chief judge, and which will afford some more authoritative illustration of these views. In 1839, he was summoned to give evidence before a committee of parliament. He thus came under the sagacious observation of lord Brougham, from whom we shall here extract several observations, in the sense and feeling of which we fully concur. Speaking of the occasion, this eminent critic observes:—"No one who heard the very remarkable examination of Chief-justice Bushe, could avoid forming the most exalted estimate of his judicial talents. Many of the questions to which he necessarily addressed himself were involved in party controversy, exciting on one side and the other great heats. Throughout, never was a more calm or fair tone than that which he took and preserved. Some of the points were of great nicety; but the discrimination with which he handled them was such as seemed to remove all difficulty, and dispel whatever obscurity clouded the subject. The choice of his words was most felicitous. It always seemed as if the form of expression was selected which was the most peculiarly adapted to convey the meaning with perfect simplicity, and without the least matter of exaggeration or softening. The manner of giving each sentence, too, betokened an anxiety to give the very truth; and the slowness oftentimes showed that each word was cautiously weighed. There was shed over the whole the grace of a delivery singular for its combined suavity and dignity. All that one had heard of the wonderful fascination of his manner, both at the bar and upon the bench, became easily credible to those who heard his evidence."

With this expressive portraiture, which confirms our view of the Chief-justice's character as a judicial speaker, we might conclude this part of our task. But it is yet incomplete without a few remarks which truth cannot omit, and which have indeed a more general and instructive relation to the subject. To some of our readers it may be familiarly known how the ancient rhetoricians, in enumerating the elements of eloquence, generally reckoned goodness among the number.

\* Fox and Smith's Reports, and Batty's Reports.

According to Quintilian, the orator must be a person *qui esse nisi vir bonus non potest; ideoque non dicendi modo eximiam in eo facultatem, sed omnes animi virtutes exigimus*. Perverted principles necessarily generate not only fallacies, but fallacious methods of seeing and thinking, by which alone fallacy can be entertained. Hence, on the other hand, but resulting from similar reasoning, just thinking is to the same extent grounded on goodness and sincerity, so as to rise from them as a spontaneous produce; and the habit of truth pervades alike the whole exercise of the whole mind. Hence the ease, simplicity, and force, as well as readiness, of the true wisdom founded on virtue. It is in this sense that the beautiful language of the poet is strictly true,

Virtue can see to do what virtue would  
By her own lovely light, though sun and stars  
Were in the flat sea sunk—

For it is evil which perverts the whole mind, and with wrong motives, and the maintenance of false interests, corrupts the intellectual eye: "If thine eye be evil, thy whole body shall be full of darkness."

Now, these reflections offer the true solution of much of the wisdom and much of the eloquence of Chief-justice Bushe. To those who knew him intimately it is well known with what an earnest love he adhered to the principles of truth and justice. Respected in different degrees by all who have any respect for themselves, these principles had in his mind the force of a religion, and not only gave to his character its real power and dignity, but even its very infirmities. Without the fullest allowance for it, he could not but be mistaken in everything; and thus, by the way, it was, that no man was so often mistaken by superficial observers. From the exceeding refinement of his sense of justice arose a scrupulous regard to the claims of others, not only in ordinary concerns, but in those less defined matters of form, manner, and mutual deportment, in which so little can be prescribed excepting by right feeling. In the mind of Chief-justice Bushe there was, by his very nature, a fine sense of this principle. Many are, we grant, largely endowed with the same; but in him it received an exquisite vitality, from the equally delicate tact with which it was accompanied. He entered with a rapid apprehension into the consciousness and the existing position of whoever he conversed with; and thus was always under a ready and governing apprehension of the full force of the great law of just reciprocity, "Do unto others as ye would that others should do unto you." Hence a peculiar graciousness of manner to persons of inferior rank,—a condescension of deportment, and a ready wish to set them at ease,—an obliging desire to communicate satisfaction,—all of which have often been mistaken, and made the subject of coarse and ignorant comment by persons who only judged rightly if they felt that they were not fitting objects of so much consideration. But the same temper was otherwise influential. Hence the stern indignation easily drawn forth by petty oversights of principle; hence the nice balance in which scruples of honour and integrity were weighed. By those who were among his domestic friends, or by the members of his profession, all this was more or less understood; his character could not be wholly mistaken by the superior order of actual observers. It was impossible, however, even for the

most intimate to keep in view the strict, stern, and exceedingly simple philosophy of his mind; it was so profusely adorned on the surface by the illumination of taste and fancy, and so embellished with a play of allusion which came unsought, that it was not easy to reconcile so much subtlety in wit with so much simplicity in judgment.

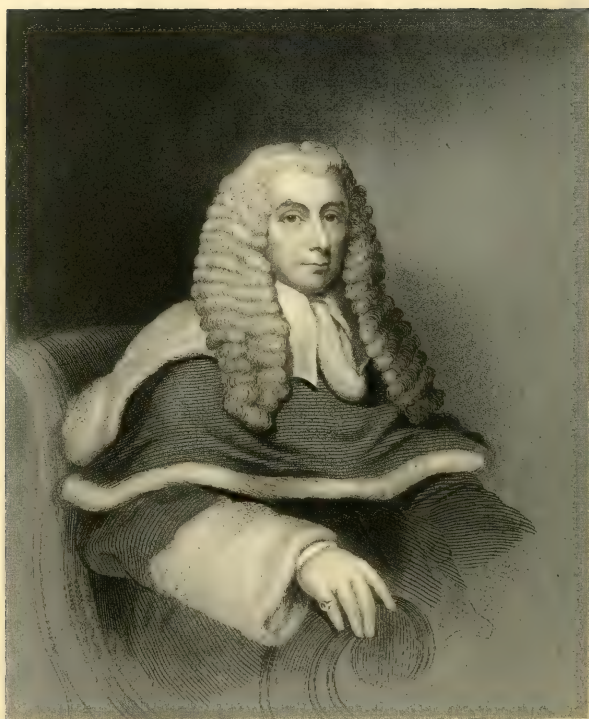
Notwithstanding his pre-eminence as an advocate, we are inclined to think that the Chief-justice appeared to the highest advantage in the undress of the most familiar conversation when unconstrainedly following the topic most agreeable to his own taste. On these happy occasions a gentle enthusiasm, which was liable to be repressed by the mere presence of those who could not participate in the feeling of the moment, seldom failed to show itself, and his heart seemed to awaken and take its part in the play of mind and memory. We can well recollect the animated spirit with which he entered one evening on the discussion of selected passages in Milton and Shakespeare,—touching with a depth of feeling on the master strokes of their high art, or the elevation of the noble image or profound conception, until at last an irrepressible sense of pleasure seemed to force from him an exclamation, of which we cannot recollect the precise language, on the charm of such free communication of mind. It was an impulse such as Milton intends to convey in the passage in *Comus*, where one of the brothers breaks into a similar interruption:—

How charming is divine philosophy,  
Not harsh and crabbed, as dull fools suppose;  
But musical as is Apollo's lute,  
And a perpetual feast of nectared sweets,  
Where no crude surfeit reigns.

Such impulses were with him frequent; for there was a deep glow of what we may be allowed to call a classical enthusiasm in his mind, ever on the spring when all constraint was removed. He was indeed easily restrained, not from the selfish anxiety which so often can tongue-tie men of wit, but from a very intense sympathy with the minds of his company. He was also eminently endowed with a fine tact for the ridiculous: in this he was not wont to indulge; but he could not quite divest his mind of a sense of the absurdity of any expression of sentiment where it could not be at once understood: he would not talk poetry to an economist, or philosophy to a statistical tourist. It may be received as illustrative of some statements already made, when we mention, what we have uniformly observed, that it was very much his habit to converse with persons who possessed any peculiar information, rather on the topics best known to them, than on those with which he was himself familiar; his motive being always politeness—a sense of fairness; and one of the consequences was, that he was sometimes much underrated by persons of the meanest intellectual calibre. He possessed a large fund of anecdote, though he was seldom heard to relate any of that class improperly known by the name of bar stories. But he possessed a power of narrative, so graceful, easy, and graphic, that it did not require anything of the ludicrous or the satirical to give it zest; and the less, as it always came with a force of application that was happy for its pertinence to the occasion.







J. P. H. K. HARTLEY, ESQ.

The life of a judge in this country cannot offer much to diversify a memoir. The incidents which claim special notice must needs be few. The chief of them are not such as we should much desire to dwell upon. Though the current of his latter years was in the main as prosperous and as little troubled as falls to the lot of man, yet it can rarely happen at an advanced period of life that twenty years can pass without days of the severest trial. In the interval thus taken, the family of Kilmurry was visited with two heavy afflictions, in the death of two individuals whom we should not feel called upon to allude to here—not even on account of the personal claims of private regard and affection—had these losses been only such as can be numbered among the casualties to which every family is subject, and which, in reality, are no more than the disturbance of each petty circle by the ceaseless drift of life's general ebb. But the death of the Chief-justice's son-in-law, Charles Michael Fox, was not an everyday occurrence. Among his contemporaries at the bar, there existed no doubt that, in a few years, his high talents, combined with his professional industry, must have raised him to the highest eminence. He was, in private society, of a temper somewhat retiring, but capable of a quiet excitement, in which a very singular clearness of head, a prompt astuteness, a caustic wit, and a very remarkable command of brief and terse language used to become apparent. He had begun to obtain distinction at the bar, had proved his power in law argument, and also obtained high praise for his share in a very able publication of law reports, in connection with Mr Smith, afterwards Attorney-general, when he was taken from his afflicted family. We may add that he was no less qualified to die than to live, as he was not merely a professing Christian, but a most firm and convinced believer of the word of life, which it was his earnest study to enforce and teach. Another bereavement demands a few words. The Chief-justice's fourth daughter, Elizabeth, died in her twentieth year, leaving no trace, but in the memory of those who loved her, of a noble spirit and powerful intellect. To her with rare truth might be applied the beautiful reflection which Moore, with somewhat perhaps of the poet's license, applied to another.

As streams that run o'er golden mines,  
With modest murmur glide,  
Nor seem to know the wealth that shines  
Beneath their gentle tide:  
So, veiled beneath a simple guise,  
Thy radiant genius shone;  
And that which charmed all other eyes,  
Seemed worthless in thine own!

During the latter years of the Chief-justice, he was known to entertain a strong anxiety to retire from his laborious and responsible station. A constitutional tendency to a violent defluxion on the chest began to harass him with its consequences. His physical strength suffered a diminution, which seemed to menace the powers of life, and which rendered his public duties exceedingly severe. The skill of Sir Philip Crampton freed him from this distressing enemy; but he was at the same time made aware, or at least impressed with a conviction, that it was only for a limited interval. Five years appear to have been assigned as a period likely to be free from the ailment

which had to a remarkable extent reduced his frame. His strength and spirits were, however, as remarkably renovated by a severe remedial course, and he was enabled to resume his judicial functions with renewed vigour and alacrity. He still, however, felt that it would be desirable to retreat while he might do so with unimpaired powers, and thus anticipate the changes which he could not fail to expect. In this desire he met with a degree of resistance from several influential quarters. His brethren of the Queen's Bench were very anxious that he should not retire, for reasons which were very fully understood by the public, but which we shall not here mention, as we are not willing to discuss them. It was also, we may add, the general impression of the public, an impression received in the most intelligent circles, that his retirement was strongly deprecated by the government. It is certain that it must have then had the effect of placing ministers in a position of embarrassment—a consequence which he would have regretted.

Thus impeded in a favourite wish, the Chief-justice resigned himself to his laborious avocations, and armed his mind with patience to await the conjuncture favourable to his retirement. In the meantime, he was in some degree engaged in the improvement of Kilmurry. This step had been forced upon him at first by the discovery that the roof and much of the house was in the last stage of decay. It became essential to safety to begin the most immediate and extensive repairs. In this undertaking, he was necessarily led to reflect on the insufficiency of his house, in its then existing form, for his very numerous family, which it was the comfort of his old age to see collected about his fire-side, as often as their own several avocations and separate homes made it possible. His own masterly taste for improvement asserted its claim, and he was thus for some years engaged in a train of rural occupations, which were productive of much pleasure, and contributed much to sustain his health.

He was yet in the highest condition of mental vigour, and in a rather improved condition of bodily health, when he came ultimately to the determination to resign. In this he was partly governed by the apprehension that every object which could be attained by delay, was already past or secure. But he felt that the terms had been latterly making formidable inroads upon his remaining strength. From these he had begun to return much worn and depressed in strength; and it was easy to calculate how very short a time such a struggle might continue. It was his hope yet to enjoy some years of retreat, cheered by his friends, his books, and the ever-restoring air of his beloved Kilmurry. And in this there was every reasonable hope of fulfilment. For though his strength was easily shaken, it never failed to return after a few quiet days at home, and his own peaceful and affectionate circle found him the same animated and informed companion as ever.

A remarkable change was destined to be brought about by means from which such results could hardly have been expected—means, on the notice of which we enter with some reluctance. We are unwilling to make our pages the vehicle of censure and imputation, on whomsoever they may fall: and though fully informed of the main facts, we feel that we have not before us the precise details by which all such

statements ought to be guarded. We shall, however, keep within the mere assertion of what we authoritatively know, and what no one will controvert.

It had not been at any time the ambition of the Chief-justice to obtain a peerage; he had been indifferent on the subject; and this for very wise and sufficient reasons of his own. It was not the desire of his family, or of his friends. *They* at least felt that no title could add splendour to a high and ennobled name. His fortune was not equal to the rank, and his native and manly pride was indeed above it. But it was *his right*—and what is more, it was the right of the Irish bar—the usage of the bar in both countries established it; it was no question whether he was to be particularly honoured with such an appendage or not. But it remained with the Queen's government to consider it as a new question, whether a most insulting innovation, directed against the Irish bar and bench, was to begin with one of the greatest men they had ever produced. That illustrious man, little as he aspired to a peerage, could not but feel the slight undeserved, which fixed a seal of apparent humiliation and contempt upon his life of meritorious exertion, and on his high reputation: and which so far (happily not very far,) as the act of an administration could so operate, would, at least for a few days, have the effect of throwing a noble name into the ignoble list of candidates for an elevation to which their pretensions are found wanting. It was not in this instance a favour sought for, or even an honour desired: it was a matter of course, not cared for, till it was wrongfully and injuriously withheld. To make this painful and offensive, it was enough that the public, the bar of both countries, and the wide circle of acquaintance and friends, had been looking forward to this result, with a degree and kind of expectation, by the disappointment of which it was not in human nature not to be deeply wounded. Such was truly the nature of a slight, deeply disgraceful to the understanding, the taste, and feelings, of the person or persons from whom it came—a stain which cannot be effaced from the memory of the administration of 1841. For this reason it is proper to state, that the insult was repudiated with the disdain it merited, by many of those whose names will live in the brightest pages of history. This unjustifiable insult was painfully aggravated by circumstances of another kind; his name, like every noble name, had been recently assailed by the low animosity of Irish faction: the nationalist press thought proper to assail the Chief-justice on grounds with which, of all others, they were least competent to deal. They attacked one of his decisions as a judge, referring it to those party motives from which it was the deepest affection of his moral nature to shrink: throwing thus on the most sensitive spot (his tender sense of the purity of the judicial character,) a torrent of imputation, which every lawyer and every gentleman listened to with scorn, but which it was the infirmity of his nature to recoil from as a shame. His sense of justice was like the honour of a virgin, that feels tarnished by the very sound of a calumnious whisper. Much interesting detail which we have before us, but are not at liberty to use, will appear in a full life of Bushe whenever it comes to be written. These circumstances conspired to cast a heavy shade over a spirit that had always lived in the light of honour,



and had been regarded through life as above reproach. The Chief-justice could not, in a moment, accommodate himself to a position as unfitting and unmerited, as it was difficult to comprehend. And it is to be observed, that his moral sensitiveness of nature had, at this period of his life, undergone the changes usually produced by age, ill health, hard labour, and a nervous temperament. As if this was not enough, there was another trying taunt, widely circulated, and reproduced in every form, by the intrigues of the party which was anxious to harass him into resignation. It was, with perfect untruth, asserted that his intellect had become weakened by age to an extent incompatible with his judicial duties. It was perfectly true that his physical strength had in some measure become unequal to labours which were still performed with the utmost ability, to his own great hurt, but not to the prejudice of his court. It has indeed so happened on circuit that he had (in this very period) the business of both courts to discharge. And it was in the very last twenty days of his judicial life, that the whole business of the Irish government was thrown upon his shoulders as Lord-justice; no other individual of the persons appointed being enabled to attend. Let us be allowed, at the expense of saying too much on this most unworthy topic, to advert to some personal recollections. We were at the period (1842) frequently thrown into the company of the Chief-justice, under circumstances which, at the same time, give the fairest and the most trying scope to the understanding. The excitement of a youthful and varied circle of the most alert and cultivated minds, may be fairly said to possess a power to awaken and restore the faculties that once were brightest, and for this reason we shall not speak of the prompt common sense, and the clear and witty comment, which was not unheard to the last in the society of Kilmurry. But we can recollect more retired and serious hours of cool and yet earnest discussion, upon some of the most difficult questions upon which human learning and reason have been exerted in modern times; and remember to have sat wondering at the well-digested and seemingly elaborate statements, from recent reading, of arguments as difficult and complicated as any that could be often heard in courts of justice, and which demanded a far more independent use of all the faculties, and gave less of those aids which are derived from professional habits and technicalities. We state this as the result of our own personal observation, with the best opportunities; and it is advanced in opposition to the assertions of a low faction, which not only raised calumnious doubts and questions on the subject of his intellectual competency, but even went so far as to raise its cavils upon facts, which would, when fairly viewed, lead to very different conclusions.

Although the mind of the Chief-justice was at this time as clear and bright as ever, his nervous system, never of the most resisting structure, was much and frequently acted upon by those causes of irritation and mental anxiety, which began thus to be poured thickly upon him, at the season of life when rest is looked for, and is essential to life. The abuse of the press, which he held in contempt, came at an unfortunate moment, because it chimed too accordantly with more serious incidents; and helped to give a force and a significance they otherwise could not

have possessed, to the deep insult he received from the head of her Majesty's government; and the reasons given were as insulting as the act, and as discreditable to their author. Never, indeed, was the old reproach that "it was enough to be a man of genius and an Irishman, to be treated with neglect," so accurately verified, by a gentleman, a part of the policy of whose administration has been to adopt the stigma as a maxim. Had it been simply the mere claim of merit, it was, indeed, to have been expected from the hand that pushed down that ladder by which its power had been reached: but a right founded on established custom, and acknowledged in the least imperative cases, was now denied and abrogated in the instance which, had it not existed, should not have created it. On such an occasion it needs no special authority to say, that an old servant of the crown—a man nursed upon a nation's admiration—a man to whom honour was as "the breath of his nostrils," and the light of his life—a man, too, who had been calumniated—a nervous, quick-spirited and anxious subject,—was, because he must have been, shaken irrecoverably by the blow, laden as it was, with ingratitude and contempt. Regardless of titles, he felt the denial, and, as is the law of man's nature, the matter soon acquired an importance not its own.

He visited London to tender his resignation; and on this occasion was warmly received by a large circle of noble and distinguished friends. Among these, it was soon felt that his retirement was not the result of any failure of professional or mental competency: and among the eminent persons to whom he was then introduced, there was but one sentiment of admiration for the singular charm of his manner and conversation. A deep sense also was shown of the injustice he was about to sustain; and had such been his wish it would have met with the merited castigation.

A memorable scene occurred in the library of the Irish courts on the 4th of November 1842,—the day on which the gentlemen of the Irish bar took formal leave, in addresses of which every sentence expressed truths and feelings worthy of the occasion, and of the high and honourable assembly whose mind they expressed. Such forms must often occur, and must, in most cases, be in part ascribed to courtesy, and the kindly consent of many to the language dictated by the affection of one. But on occasions when a really great man retires, whose fame is a living reality undisputed among the educated community, a sentiment becomes awakened so strongly that it spreads even to those who were hostile. That day was the honourable close of the public life of the last of an illustrious constellation of minds, such as Ireland never produced before, nor (considering the tendencies of the age) ever can again.

It was in the last year before his death that his mind began to indicate in some degree the effect of these trials. While his strong and clear reason retained its whole mastery, the lapse of memory became frequent and progressive. Of this he was himself painfully sensible, and often adverted to it. It did not indeed amount to any material impediment to his power of enjoying the society of his friends, or even of strangers, as the slightest impulse of spirits was enough at any time to dispel the gathering cloud: and when he

entered into conversation, his wit was as easy, and his judgment as clear as could be desired. But it was easy to see and fear the result of a fast increasing tendency to failure of recollection. To this it was not permitted to come: a slight affection, merely local, and to which no importance was attached, required surgical operation: it was performed skilfully, and with little pain. The immediate consequence, however, was an attack of erysipelas, which brought on inflammatory action in the head.

He left home for the above-mentioned purpose in seemingly good health and spirits, and his friends and relations were under no apprehension for him; but in a very few days after, 10th July 1843, he departed this life, at the house of his son, Mr Thomas Bushe, near Dublin. His mortal remains were interred in the new cemetery at Harold's cross,—an arrangement which occasioned very great excitement in the county of Kilkenny, where he was loved and honoured by every person and class, who eagerly desired to do him honour, and to claim him as the boast and ornament of his country.

RIGHT HONOURABLE WILLIAM SAURIN.

BORN A.D. 1758—DIED A.D. 1839.

In the year 1598 an edict was promulgated at Nantes by Henry IV., granting protection and the security of their civil rights to the French protestants, who, as that politic prince saw, were not to be suppressed by persecution. Under the protection of that law, they increased in wealth, numbers, and influence, and, with varying fortunes, extended their ground for a century, during which they attained an integral form, and a degree of civil power and importance, which was ultimately fatal to their existence. The jealousy of the government was awakened, and the treacherous policy of Richelieu obtained advantages and removed defences, until, towards the end of the following century, Louis XIV. was induced by the then all pervading influence of the Jesuits, and by the ascendancy of a fierce faction, to revoke the protecting law. This revocation was not more incompatible with justice and humanity than with sound policy, depriving the nation at a blow of the most civilized, enlightened, and efficient portion of its mind. A general and almost tumultuous emigration of the protestants rapidly drained France of that spirit and energy which has universally been the origin and promoting cause of civil liberty and national prosperity. Nor would this inference be weakened by a survey of the personal history of the numerous families thus transplanted into other lands.

Among those who, on that occasion, shook from their feet the dust of a thankless soil, was a gentleman of the name of Saurin, who exercised the profession of an advocate, with distinguished reputation, in the city of Nismes in Languedoc, and who now retired with his family from persecution to Geneva. This gentleman left three sons, James, Louis, and Mark Antony. Of these, the first mentioned is well known in ecclesiastical history as an eminent theologian, and a

preacher unrivalled in his day. His works are still read and admired for their union of eloquence with a profound and simple morality. A small volume of selections from his writings was published many years ago by Hurst, and affords a very high estimate of his powers.

Louis, the second brother of this celebrated man, came over to Ireland about the year 1727, as we find by a letter of primate Boulter, dated March 1727, which is addressed to the archbishop of Canterbury, and which says, "On Monday last Mr Saurin came to me with your grace's letter." The letter here referred to also seems to indicate the favour and high opinion of the archbishop. Another letter from Boulter to the bishop of London similarly refers to a "good character" obtained from that prelate. Saurin was recommended by primate Boulter to the bishop of Kildare, who gave him the post of a vicar-choral in St Patrick's cathedral. From this inferior preferment he was soon after promoted to the deanery of Ardagh. Previously to his leaving France he had married a daughter of the baron Cornet de la Bretoniere, a noble family of Normandy, and had one son and four daughters. The son, James Saurin, was afterwards rector of St Anne's, in the city of Belfast. This gentleman married a Miss Johnson, and, dying early, left four sons, of whom the eldest and youngest (Mark Antony) adopted the military profession. The third son, James, was the late bishop of Dromore. The second was William, the subject of our present notice.

William was born in 1758; he was sent to school to the Rev. John Dubordieu, the descendant of another French refugee, who then kept a very excellent school at Lisburn. He entered the university of Dublin as a fellow commoner in 1775; and, as might be presumed from his natural tendency to severe application, and his singular clearness of head, he obtained the highest academic distinctions. Much of the early part of a lawyer's career passes unrecorded in the quiet obscurity of the massive and ponderous learning he pursues, and this is more particularly true of a man like Saurin, whose calm and steady tone of mind was not liable to be caught into the whirl of popular excitement, or disturbed from its course by the passions of the day; while several of more brilliant but lighter, and far less powerful talents, were attracting notice and obtaining newspaper celebrity, he was drinking deep at the fountain head of the Constitution.

Having completed his university course, Saurin entered as a student at Lincoln's inn. It is remembered that, while in London, he lived together with the late Sir Robert Langrishe and the late Mr Lyndon Evelyn. It is also stated, in the manuscript from which we learn this fact, that these three gentlemen afterwards "lived to be more than eighty years, during the entire of which time the friendship and intimacy they had formed in early life subsisted without a moment's interruption." We can also state, upon the same authority,\* that during this interval, Saurin was devoted to his studies, and diligent in attendance at the law courts during the terms. Such a course was not productive of many romantic adventures; and it will be presumed that the same sober and steady governing qualities, so pre-eminently

\* A brief memoir of Saurin, written by a person who has been (it may be said) brought up in his family.



exemplified in all we know of him, must have contributed to preserve the smooth uniformity of a studious and prudent progress in his profession.

He was called to the bar in 1780. But for several years, he underwent the fortune of many eminent men whose pretensions were of the same nature as his own, and whose moral and intellectual tendencies being strictly professional, withheld them from all irregular and indirect short-cuts to notice. Saurin was not destined to derive any help from the influences of popular faction; nature had not framed his intellect and temperament to be the luminary of clubs; he was neither a master of rakish wit, nor endowed with the flashy elocution and manner which imposes on the vulgar. His style of speech and method of thinking were far indeed from the glittering, but inane phraseology, which the English reviewers have insisted upon calling Irish eloquence, though there was not a taint of it in any one of those whose names have obtained a permanent reputation among Irishmen. In the texture of Saurin's feelings, talents, or knowledge, there was nothing to attract the populace, or those who thought with and for the populace. Saurin excelled his contemporaries in accuracy of method and in precision of language. He did not possess that forward activity of temper which would have brought him to the front among his contemporaries. Saurin was, however, from the beginning, placed in a high and respectable circle. But there was a simplicity in his reason and feelings, and a delicacy in his taste and temper, which must have contributed to keep him back, at a time when men were brought forward in Ireland by courses of living and of acting in public life, very unlike any thing of which we can conceive him capable. Qualities of the highest order can seldom be popular. A freedom from the constraint of principle—a reckless ambition—an audacious temper—a sympathy with the public impulses—a restless vivacity—and the command of the tawdry rhetoric of popular passion—are the ignoble qualities of vulgar talents, which in evil times promote inferior men. From the temper and the sympathies which such periods exercise, Saurin was characteristically exempt. The pre-eminent powers of his mind were reason and judgment; in him they were developed to a degree which overawed and restrained the play of the minor and less essential talents. There was indeed but one way to wealth and fame for such a man; and that was, in its nature, long, arduous, and not within the cognizance of the vulgar eye. We have been led into these reflections by way of accounting for the lengthened interval during which Saurin, like some other great men, was allowed to remain unemployed.

It was during this interval, and, indeed, before he had attained to any noticeable degree of practice, that he married Mary, the relict of Sir Richard Cox, Baronet, the niece of the then, and sister of the succeeding marquis of Thomond, by whom he had a large family. This event took place in 1786.

The first occasion which really afforded a just notion of what he could do as a lawyer, was upon the election contest in the county of Down, in 1790, when lord Castlereagh was one of the candidates, and when he made his *debut* for Mr Ward, another candidate, in a manner

which was probably the foundation of the employment that quickly followed, and never afterwards deserted him. When once fairly brought before the critical cognizance of the bar, the rest was a matter of course; however slow the public mind must be in the estimate of merits, so far removed from popular information, the presence of a great legal understanding is not to be mistaken in the eminently critical atmosphere of the four courts. Stern and uncompromising virtue, simple worth, and consummate skill, make prompt and deep impressions on those who witness them. When a man with so little of the specious or the popular in his mind and deportment as Saurin was chosen, in 1796, by the lawyers, as captain commandant of their corps; and when the high spirit and shrewd observation of that body is regarded, it bespeaks the sterling worth, as well as ability of the man. The recognition of his abilities was also shown by the efforts of the Irish government to obtain his services. The sagacity of the statesman at the head of affairs, during that period of emergency, was not slow to discover a man who had the great and commanding qualities so much needed in a cast of mind not inclining their owner to the popular side. It was hard to find a man of ability unshackled by patriotic pledges, and ready, as well as able, to supply the great want of uncompromising and steady support to the cause of order and law. In 1798, the office of Solicitor-general was pressed upon him, with a degree of earnestness to which, in the very considerable experience we have had of such proceedings, we cannot find an approach in any similar instance. His refusal was followed, not only by letters of pressing solicitation and remonstrance, but by the request that he would not decide until the writers (the principal ministers of the Irish government) should have the opportunity of urging the matter in a personal interview. To this effect we have ourselves perused letters in the possession of the family from the earl of Camden, Mr Pelham, and lord Castlereagh. Saurin refused, because it was his determination to oppose the measure of the Union, then in progress. He, with Bushe, and other able men, saw the immediate consequences—the first shock of a vast change. But it is not indeed easy to imagine the constitutional understanding of Saurin perverted so far as to comprehend the idea of a wise or just policy, in connection with the vicious instrumentality then exerted to carry the measure. He probably could not so divest himself of the simple and pure identity of his very nature, as to connect himself with all that was mean and corrupt in political intrigue; and so revolted was he by those proceedings, that their memory haunted his mind, and kept him afterwards aloof from that government, when his opinions and principles would have been favourable to them. He took his place among those who strenuously resisted the Union, and his opposition remains a matter of history in the reports of the debates which preceded it.

Afterwards, in 1803, he was, as before, urgently pressed to take office as Solicitor-general, and again peremptorily refused. Of this negotiation, there remain the letters of lord Redesdale, at that time lord chancellor of Ireland, and the very person who best had the means of appreciating the singular powers then chiefly displayed in his own court. For though the public is best acquainted with Saurin as a crown lawyer, and though our chief means of illustrating his merits have

been afforded by his practice in the criminal side of the law courts, yet it was in the less familiar and popular practice in equity, that he was more fitly rated by legal criticism. Great as a crown lawyer, it is scarcely to be doubted that, had his course terminated where it ought to have done, he would have left a name of the highest authority on the list of lord chancellors.

In 1807, he was once more applied to by the government. On this occasion his attached friend Mr Downes, then Chief-justice of the King's Bench (afterwards lord Downes), used his influence with him; and Saurin, thus urged, though distinctly given to understand by the lord-lieutenant that the existing government was not likely to continue many weeks, yielded to his friend, and accepted the office of Attorney-general, which he held for fourteen years.

Notwithstanding the high reputation and foremost place of Saurin as a lawyer, yet from the circumstance of his having been thus placed in the position of crown adviser for fourteen years, during a period which offered very great and peculiar difficulties to the government, it is a necessary consequence that his character, in the estimation of the world, in a great measure stands on the ground of political considerations. With the utmost benevolence of nature, and the gentlest and most unoffending temper, Saurin possessed the sternest constancy of will, and the most devoted sense of duty, so often found in connexion with the purer and gentler affections of our nature. For the law of the land, and for the civil constitution from which it is derived, and to which it gives support, he entertained the devotion of a mind thoroughly imbued with the spirit of both; he identified himself with the law, and was identified with it. It was truly a marriage for better for worse. With its honours, he won something of its unpopularity. Honoured by every member of his noble profession—loved by all who moved in his immediate circle—respected by all who could rightly apprehend him,—he stood in that station against which popular delusion and fury were from time to time directed. We do not here in the least question the motives, or even the policy of his opponents; they thought it right to force their way to what they claimed as civil rights, by the only means they considered likely to succeed. The law, as it stood, was not their friend, and its guardians they regarded as enemies. They fell into a confusion, which was very natural, and may therefore be excused. But it is our business to state the matter truly. For this purpose, we shall here again bring forward a case to which we have already adverted,—the case of the crown against Sheridan and others. We take this, because it gives occasion to state Saurin's views on his own unimpeachable authority. It will be plain that his sole rule of conduct was legal and constitutional, and in no degree affected by sectarian views.

The question involved in the case of Sheridan, was one which, according to the views of the party to which he belonged, the Attorney-general was bound to take up. The convention act was passed in 1793, to prevent the organization of assemblies assuming to represent the people. Such assemblies were, from their near connexion with the masses, and with the prevailing impulse of the hour, armed with a formidable power, and impelled by dangerous influences. This fact was evident from their very constitution; it was still more clearly

ascertained by precedent. There was, in the meeting in Liffey Street chapel, and in the arrangements made for its permanency, and for the discharge of its functions, a public violation of this law, so broad as to amount to a defiance of authority. We are not asserting the propriety of the law, but that from Saurin's point of view it had been clearly violated. It is no answer to say that the real design of the parties was innocuous, or their ultimate view legal. That law was a provision against precisely similar public movements, which had been the immediate preliminaries to a wide-spread conspiracy ending in a civil war. If the prosecuted parties had endeavoured to draw the broadest distinction between themselves and the conventions of United Irishmen, they might have been treated with forbearance on the part of government. Instead of this, they took the same course of open defiance, and fierce animosity against the existing state of government, as the former conventions had done, with which they endeavoured, in the fullest manner, to identify themselves. There was, in reality, no reason, then apparent, why the officers of the crown should not look for the same effects from the same causes; and had any such consequence actually arisen, any neglect on their part might have been cited as a proof that it was the design of government to foment a rebellion, which every rational politician knows is the true instrument for depressing the people of a country. Saurin saw the violation of the law, and read the possible consequences by a recent, if not true, analogy; and his judgment was supported by the defence that was made for the traversers by the ablest men of their day.

But Saurin did not in this, or any other cause, oppose the members of the Roman Catholic communion on the ground of their religion, or upon any grounds but the principles of the constitution as it then stood. On this point we shall allow him to speak for himself. In adverting to the resolutions proposed at the meeting, after reading out the first, which asserted the right of conscience, and declared that no government can inflict penalties for obeying any form of Christian faith, the Attorney-general distinctly admits the principle, and denies the application, in one short sentence. "Gentlemen, this is the first resolution; the object of which, you will plainly perceive, is to impress on the minds of the Roman Catholics of this country, that they are this day subject to pains and penalties for exercising their religion—a resolution *not founded on truth*, and calculated to mislead the loyal Catholics of Ireland." Of the religion of the people he took no cognizance, nor did he for a moment doubt the loyalty of the nobility and gentry of that persuasion. But a palpable infringement of the law was not on such grounds to be allowed; and in the strong denial here quoted, is to be clearly ascertained his actual view of those disabilities under which they then laboured.

Saurin felt both liberally and affectionately towards the Roman Catholics, among whom he had many sincere friends; but this could neither change his principles, nor dispose him to violate them. But yet it was not Saurin's opinion or desire in any way to impede the right of petition, or any safe and lawful effort for the removal of disabilities. This he emphatically asserts; and appeals to the good sense and reason of the Roman Catholics themselves:—"I will beg to leave it, not to



you (the jury), but to every unprejudiced man, every Roman Catholic who hears me, whether the convening such an assembly in the metropolis of this kingdom can be reconcilable—not with the statute law of the land, but with the principles of any law whatever—whether it is to be endured in any state in which there is the form of a government, that an assembly so constituted should be tolerated or allowed.” This he explained more at large, by the exposure of the vicious application of the representative principle in the form of the Convention. Indeed, this is somewhat too obvious to go into any further statement of it; for we must repeat that the meetings which the Attorney-general then resisted, were in form and ostensible mode of proceeding, as well as by express declarations, identified with the convention of 1783, and plainly designed to attain by a demonstration of force, that object which they had failed to obtain by legal petition. Whether it may be asserted or not that such was a justifiable alternative, it is quite plain that resistance must be the duty of the officer who is appointed to maintain the law inviolate.

Saurin simply asserted and maintained the law by a vigilant, courageous, and able discharge of the trust of his high office. The following clear answer to the most specious objection to the proceedings, may also serve as a specimen of the singularly terse and lucid style, by which all Saurin’s speeches were alike and uniformly distinguished. “But it is contended, that an assembly as respectable as this, could not be guilty of any misconduct, or act in any way contrary to law. Gentlemen, it is not that an assembly of this magnitude has in it many respectable and loyal persons, that it is, therefore, to be countenanced or endured; or that the public peace can be guaranteed by the integrity of such persons. In such assemblies, it is notorious, that the moderate and well-meaning are overborne by the turbulent, the factious, and the desperate. Let me call your attention to that very committee, out of whose resolutions the present intended assembly was to take its rise. We all recollect that committee, and its proceedings, during a great part of the last year, and beginning of the present. I appeal, not to you, but to every loyal and dispassionate Roman Catholic who hears me, whether that committee, though containing many most respectable and loyal men, did not proceed to such excesses, to such an abuse of the privilege under which they claimed to meet—of all decency and decorum—that every good and loyal Roman Catholic was ashamed of them. Were there not found members of that committee, also, to deliver speeches so gross that the seditious press of Ireland became afraid to publish what they were not ashamed to speak. Every man who regarded the public peace cried out against them; and I am sure, that if blame be imputable to the government, with respect to that committee, it must be that it did not interpose sooner, not for having interfered with it when it did. When it was expected—at least when every one hoped that it was about to terminate its sittings—it issued a circular letter, calling for a perpetuation of itself, by the addition to its numbers of ten representatives from the counties, and five from every parish in Dublin. It was then, and not till then, that government interfered: it interposed, not by the exertion of a power beyond the law, but by notifying to the magistrates that the intended elections of persons, to be incorporated with the committee, would be against the

statute law of the land, and that recourse would be had to the law, to prevent such a mischief. That interposition had the desired effect; treason and sedition were checked in their progress, and the project was for a time abandoned." This authentic statement puts the whole proceeding of the Attorney-general in its right aspect. It may be added, that his sole aim being in this case the assertion of the law, and the preservation, by its power, of the public peace, he had determined to carry his proceedings no further than merely what was required for this purpose. This is made apparent by after circumstances. The jury brought in a verdict of "not guilty," for want of sufficient evidence. The consequence was a continuance of the same illegal proceedings. As the verdict of acquittal was expressly given on the ground of insufficient evidence, and as there could be no doubt either of the law or the facts, it was the duty of Saurin not to allow the law of the land to be set at nought. He brought another action, for the same offence, against Mr Kirwan. The case offers in itself no topic of interest, nor were the arguments to which it led particularly important. As the reader of the previous memoir is aware, there was a great display of eloquence by the Solicitor-general, and on the part of the traverser, there was also remarkable ability displayed. The facts and law of the case were such as to admit of neither difficulty nor doubt, but involved to the utmost extent in both, by exceeding shrewdness and ingenuity. A verdict of guilty was nevertheless brought in by the jury; and the Attorney-general, content with the success of his firm assertion of the law, followed it up by a wise and temperate course, so as to afford an impressive illustration of the mild and equitable spirit in which it would operate, if so permitted by those exposed to its penalties. "It is not my wish," he said, when moving for a day for pronouncing judgment, "that any punishment whatever should be inflicted on Mr Kirwan, further than that the court should make such observations on the nature and consequence of the offence, as its wisdom and justice may suggest. I am happy to say, that his majesty's government has taken the subject into its most serious consideration, and having been fully satisfied that enough has been done to satisfy the public at large, not only as to what the law is on the subject, but also that the law, as it now stands, can and must be enforced; and that every man in the community not only ought, but *must*, obey the laws." Space only permits us to quote these few sentences, expressive of the mild but uncompromising policy on which his entire official conduct was framed.

We cannot offer to the reader any considerable selection of the distinguished causes in which Saurin bore a leading part. As an equity lawyer, he stood conspicuous in the first rank; we have not materials adequate enough to form a satisfactory estimate of him in this respect; and, indeed, the importance of the official station which he filled, in a season of extraordinary difficulty, must be looked on as the proper object of historical commemoration.

The case of the *King v. Waller O'Grady*, from the full report which its public importance secured, as well as from its intrinsic elements of interest, afforded a good field for the display of those splendid talents with which the Irish bar was then endowed. This case, in its two

successive hearings, has been reported with first-rate ability by a lawyer whose habitual accuracy and profound knowledge of the subject, enabled him to do the fullest justice to an argument which has left no resource of art or legal discrimination unexemplified.\*

With the two most able reports of the great cause adverted to before us, it needs no great effort of criticism to perceive the skill and learning of Saurin. It would be a hard task to discover in the management of any cause, clearer proofs of judgment, and knowledge,—command of that knowledge, precision in its employment, and clearness in its exposition. In an attentive perusal of that great trial, in both its parts, in which the first men of their day were the counsel on either side, it will be impossible not to perceive the clear pre-eminence of Saurin in the more solid and sterling qualities of the lawyer. Something, in fairness, must be allowed for the difficulties of the adverse counsel, who had, in reality, no case, and whose business it was to make as much legal obscurity as they could. But comparison is unnecessary; Saurin's speech in reply in the appeal may safely be compared with the first specimens of legal eloquence that can be found or recollected. When some one remarked that Saurin was not eloquent, he was well replied to by Peter Burrowes, "he despises eloquence." His accurate understanding and perfect knowledge enabled him to speak without resorting to the flowering common-place, which, with proper accompaniments of voice and action, passes for eloquence. With him language was the barely sufficient covering of thought, which shewed beneath it with a simple and real charm, far superior to the finest drapery of words.

One other cause must be briefly noticed; it was the occasion of a very violent attack upon him, and drew forth a response of which the effect was nearly similar. We mean the case of the crown against the editor of the *Evening Post*. The question will not be material to our present limited statement. It was, like those of Sheridan and Kirwan, a trial of party, and brought into play all the passions which such cases never fail to elicit. Saurin's statement for the crown was marked, like all his addresses of the same kind, by his characteristic humanity and moderation, and was but a clear and simple statement of the facts and of the law. He was answered by O'Connell, in an amazing torrent of that vituperative eloquence, in which he excelled all men living. On this occasion O'Connell dealt out his unsparing fury on every side; the jury was not spared; and the Chief-justice on the bench quailed beneath a tempest, not in that case merely rhetorical. There was a verdict for the crown; and on the 27th November 1813, the editor was brought up for judgment, and an affidavit having been made on the part of the crown in aggravation, on account of the line of defence, Saurin had to address the court on this point. In the perusal of his most feeling, but most calm and dignified address, the reader is surprised at the clear illustration of a truth, often spoken, but not so often exemplified, how much calm and regulated skill exceeds the exertion of mere violence, even though accompanied by power. But what will most strike the reader who is curious in

\* We refer to the two reports of Mr Richard Greene, afterwards Baron Greene, of whom a brief memoir will be found in these pages.

the study of moral phenomena is the impression made by this most eloquent reply (for such it virtually was) on the eminent person against whom it mainly told. For the moment it completely effaced from his recollection that he had himself transgressed every rule of moderation or humanity, and even of rhetoric, to pour his wrath upon the very man to whom he now listened with all the surprise and consternation of the most helpless injured innocence; and that such was his feeling at the moment manifestly appears, for it is equally marked in the substance and manner of the beginning of his reply. On this occasion he seemed quite unlike himself—totally unconscious of all the fierceness—seemingly forgetful of the recent effusion of his own wrath, while in a few incoherent sentences he expressed his astonishment at severity so unearned. Was he not as respectable in point of standing as his opponent—was he not a gentleman, his equal as to fortune—and such other questions, were the first remonstrances from lips that never spared any rank or respectability when they met his resentment. When we read the few disordered sentences which we find in the report given by the *Patriot* newspaper, which was sure to do him no injustice, we are struck with the same amazement which the bar must have at the moment felt, at the tone of deprecation into which the bold and fiery animosity of the great champion could be rebuked by the gentle, and pure, and sensitive spirit of Saurin. But that gentle and tender spirit had no weakness, and was ever maintained in its own lofty course by courage, integrity and truth.

We have only to add to the above remarks that, as we never have had the opportunity of hearing Saurin, we cannot pretend to say to what extent an admirable style of language and reasoning may have been in any way affected by action and manner, which are so much to an auditory. We can, however, hardly be mistaken in the strong impression which the whole of his deportment, in the course of the half-dozen trials we have carefully read, together with the moral tone of his speaking, have made upon our mind: that of a commanding dignity of character, purpose, and moral tone, which obtains respect without the help of the stage-trick of oratory. The model of the poet, "*Justum et tenacem propositi*," stands clear in the single and simple unity of all his words and deeds. There never was a public officer more firm, yet less arrogant—more defying of influence, yet affectionate in his nature.

We regret that our materials are not such as to enable us to enter with any proportionate detail into the private life of this truly great and worthy man; and we must pass briefly through the remaining events of his life. When he accepted the office of Attorney-general, he had on some occasion been led to express to his able friend and colleague, the Solicitor-general (Bushe), his determination or intention not to stand in the way of his preferment—of course it will be understood that the expression of this purpose was, in some degree, the result of some views of the peculiar line of conduct with regard to office, which he had proposed for his own adoption. But, as was very natural, his highly fastidious and honourable mind always after recurred to it as a pledge. This impression was one of the main motives which governed his conduct several years after, when a change took place in consequence



of the retirement of lord Downes from the bench. On this occasion, the government, in order to strengthen their position, projected an arrangement, by which another eminent gentleman was to fill the station then held by Saurin: this was to be effected by raising him to the vacant place on the bench. Saurin refused the promotion. A peerage was added to the offer, and still refused. To his family and private friends, we are inclined to believe he pleaded his promise to the Solicitor-general; and that gentleman, with the high sense of honourable feeling which actuated all his conduct, strongly joined in the remonstrances of his friends, and explicitly absolved him of the supposed pledge. But Saurin was invincible in his resolve, and, rejecting all compromises, fell back on his professional practice.

At this point, we can only take up the language of a brief but authoritative sketch, which has furnished also most of the early portion of our narrative. He "continued in great chancery practice, until, at length, having become father of the bar, and feeling the weight of years, he took leave of the profession in the year 1831." The address of the bar we subjoin in a note,\* as we feel it, in his case, to have a documentary

\* ADDRESS OF THE BAR TO THE RIGHT HONOURABLE WILLIAM SAURIN.—"On behalf of ourselves and those members of the bar with whom its present dispersed state has enabled us to communicate, we are anxious to express the sentiments of deep and sincere regret with which we heard your determination to retire from amongst us, and, at the same time (whilst we disdained any allusion to political subjects), to record, for the benefit of the profession, those distinguished traits of private and professional merit which have contributed to form a standard of character so worthy of being held up to imitation. It is now more than half a century since you commenced your professional career, founded upon a deep and well-grounded knowledge of the law in all its branches, a preparation which in due time placed you in the first ranks of business and reputation, from which no change of circumstances ever displaced you for an instant. The professional honours which you attained were the consequence and just reward of the talents, learning, and integrity, which added a greater lustre to office than they derived from it. In the exercise of your profession, we have ever witnessed the firm and uncompromising advocate of your client's interests, without infringing on the respect due to the bench, or wounding the feelings of your opponents; we have been delighted and instructed in witnessing the daily exercise of that rare combination of talent, accurate discrimination, and sound judgment, with which you always placed your client's case in the most favourable point of view, without deviating from that strict integrity and truth which ought not to be sacrificed under any circumstance, or for any consideration; we have had ample experience of the unvarying kindness and good feeling which you have ever shown to the juniors of the bar, and of that unaffected pleasure with which you have always regarded the advancement of merit in our profession; and whether enjoying the dignity of office, or the still higher dignity of pre-eminence without it, we have ever observed in you the same equanimity of temper—the same urbanity and courtesy of deportment, both to the bench and to the bar. Need we then say that the retirement of such an individual from the situation of the father of the bar, is a subject of deep regret to each of us, whether we look to ourselves individually, or to the true interests and character of our profession; but to yourself we are persuaded the change must be one of unmingled satisfaction; and we fervently hope that the evening of your days may be as mild as the morning has been brilliant; and that in the bosom of your family and the serious and undisturbed contemplation of that home to which we are all approaching, you will enjoy a peace of mind to which the bustle of professional life is so opposed. We trust you will believe us sincere when, with feelings of filial affection and respect, we express from our hearts our best wishes for your happiness here and for ever."

ANSWER.—"Gentlemen and friends,—I should justly accuse myself of presumption, if I did not ascribe to the friendship of some, and the good will of all whose

value, describing, as it does, those professional qualifications of which his legal brethren must be esteemed the best judges.

We again take up the manuscript, from which the main facts of this imperfect sketch are drawn. "Eminent as Mr Saurin was in public, still it was in private life he shone conspicuous. His temper was angelic, cheerful, and never ruffled. He was easy of access, and in manner most engaging. His spirits were playful, his conversation pleasing and instructive. Pure and perfect in all the relations of life, he was beloved by all who knew him; and at his death, wept for and regretted by every member of his household."

This last-mentioned event occurred on the 11th of January, 1839. We have only to add to this imperfect account of a great and worthy man, that he was a firm believer in the truth of revealed religion. This fact we can state on the authority of those who knew him best; but we cannot be mistaken in the assurance which the character of Saurin affords of a tone of intellect which never fails to receive truth when well attested, and of a temper of heart which such teaching alone can impart.

#### JOHN SIDNEY TAYLOR.

BORN A.D. 1795.—DIED A.D. 1841.

AMONG those whom our university has sent forth in the present century, many of whom have risen to station and some to fame, not one possessed nobler claims to a high expectation of both than John Sidney Taylor. But he was destitute, in the early part of his life, of most of those adventitious aids by which many are early enabled to enter on their course with the best advantages, and to offer themselves in a conspicuous light. He was, partly by necessity and partly from choice, committed to the obscure and laborious chances, the patient waiting, and the tedious drudgery, of the English bar. In Ireland, perhaps, his college character, and the possession of that oratorical talent, so prized by Irish taste, with the far less formidable competition, might have opened earlier prospects of success, where many contemporaries and juniors, with whom it would be derogatory to compare him, have since risen to office and practice. It is true, that his actual success was such as to warrant the highest expectations: but having chosen a slow and secluded path, his full promise was only yet known to the small but eminent circle, whose judgments of men are independent of, and precede the sentence of fame. Had his life been spared, a few years more would have brought his high talents, and the noble and strenuous moral energies of his nature, into their appropriate position. We premise these remarks, because to numerous readers of this work, it may not

respectable signatures were affixed to your address, the highly-coloured estimate contained in it of my professional qualifications and acquirements; such, however, as they may have been, it will now be to me a subject of pride and exultation, at the close of so long and prosperous a career in profession as mine has been, that my conduct should have met with the approbation, and that I should have deserved the esteem and affection of so numerous and distinguished a portion of my brethren in profession, as have honoured me with their address."

appear by what title a name, which has not been heard of much beyond the college and the inns of court, appears among the very small number of modern names here selected for commemoration.

The name of Taylor's family was originally McKinley; he was descended from that captain McKinley who was leader of the party of King William's troops which first crossed the Boyne under the heavy fire of James's army. His mother was a descendant of General Sarsfield. His father took the name of Taylor with a small inheritance, which he soon dissipated by improvident hospitality, and the indiscretion of unreserved friendship. But having thus received a lesson of experience, he made, in some measure, amends for want of prudence, by industry and talent, and contrived to maintain a large family by his skill as an engraver, until a worthy and devoted son took his place, who long continued to support his aged father, and educate his family. To the care and considerate affection of this gentleman, the subject of the present notice owed the earlier part of his education.

John Sidney Taylor was born in 1795. We pass the earlier years of his life, only mentioning that he shewed early signs of those virtues, and that thirst for knowledge, which were afterwards prominent in his life:—intrepidity, energy, firm tenacity of purpose, and the scorn of untruth and meanness. In the *Dublin University Magazine*, for February, 1843, some anecdotes may be found confirmatory and illustrative of these general statements. He was sent to school to the well-known academy of Mr. Samuel White, from which he entered as a pensioner in Trinity college, under the tuition of Dr. Wall, who was then well known for his acute and clear style as a lecturer, and is now known as author of a work remarkable for comprehensive learning and unequalled logical discrimination and force of inference. The expressive simplicity and precision of this gentleman's lectures, though used for a different purpose, was no bad model for the early training of a mind of not inferior but widely different powers. We offer these remarks, not from theory, but from having been in the same class, and in the habits of the most intimate and affectionate friendship with Taylor.

The intellect, thus rapidly developed and expanded, was not deficient in any of the higher powers. His power of critical discrimination was of the first order, and essentially connected with the extraordinary talent for imitating styles, so well known to all his intimates in college: this was founded on his fine feeling of excellencies, and exquisite tact in seizing on every peculiarity. It was rendered remarkable in a higher degree, by his rare command of language.

We can recollect, at this long interval, a walk with him from town towards the Phoenix Park, together with a young gentleman with whom he was not very much in the habit of associating, and who had rather forced himself upon our company. This person was endowed with much intellectual ambition, but, as often curiously happens, gifted with no talent: his conversation was, as might be expected, full of trite references and shallow opinions, and was very teasing. He was listened to with ready complaisance by Taylor, who seemed amused, rather than impatient, of quotations, which were the more impertinent, because they were expressly made in compliment to his genius. Taylor was however meditating mischief. After listening a little in complacent

silence, he affected an air of enthusiastic satisfaction, and began, in his turn, to pour out brilliant and effective passages in prose and verse, which he alleged to be among the happiest specimens of the various well-known authors referred to by our companion. Cowper, Thomson, Pope, Ossian, Milton, Shakespere, Young's "Night Thoughts," the Rambler, Junius, Addison, the inspired writings, each in turn afforded highly impressive and graceful passages, never before heard, but with all of which our companion affected the most perfect familiarity. We must confess that we were for some time imposed upon, and so completely was the style, manner, and cast of ideas caught, that it would have required great intimacy with the authors to have escaped the snare. We, however, knew the man, and soon guessed the reality. Taylor was too charitable to deceive our man of taste, who went off equally satisfied with his own judgment and Taylor's prodigious memory, which he continued to praise, in somewhat of an invidious tone, until many years after, in one of our splenetic fits, we electrified his vanity with the mortifying truth.

Taylor's success in obtaining the prizes for English verse was constant and unfailling: his compositions, as regards language and versification, were of a very superior order. We did not, with some of his other friends, consider his genius to be that of a poet. It was not the habit of his mind to strike out new trains of thought, or to generate conceptions: he rather seized on some argument or view of a subject, and catching from history or circumstance the best and most judicious line of topics, connected them into a well-ordered statement. This he would, as he proceeded, adorn with the most effective allusions, the most striking associations, far found and happily combined; often clothing an argument in a simile, and concealing a dexterous sophism in a sparkling play of words.

In the Historical Society, his prepared speeches were in general worthy of his powers, and were received as they deserved. In the extempore debate which followed, he did not appear to the same advantage. He did not, indeed, take any interest in the small matters which were then discussed; but, as he confessed to the writer of these pages, was impressed with a notion, that it would be useful to him to acquire that hardihood which might, he thought, be gained by standing up to address a large assembly at very great disadvantage. The common anxiety about opinion was wholly a stranger to his mind: he never heeded the success or failure of the moment: but with most unusual steadiness and intensity, looking far into the ends of professional pursuit, he was free from the intense desire to shine by which young men are so often led into habits of loose rhetoric, and fixed an eagle glance upon the distance, which, alas! it was not allowed him to reach.

There was a charm about Taylor which we fear we must fail to communicate. It was not entirely that he had a manner of thinking and expression peculiarly his own, and that the tritest thing fell from his lips with a dress and an effect strikingly new. There was a fashion in his heart, and cast of feeling, which carried the same impression with far more depth and power. He towered in spirit, with a high and bold severity, above the common weaknesses. He could not feel affection



where he felt no respect, and his disapprobation was frankly expressed.

He obtained a scholarship with the highest honour—that is to say, eight best marks, and we believe a high place; the immediate result of which was a high exhibition in addition to the common emoluments of a scholar. From this event, he must be regarded as having secured his way to independence.

Having adopted the legal profession, Taylor went, in 1816, to London, for the purpose of completing his terms; and soon came to the determination of trying his fortune at the English bar. It may well be presumed that he entered with his wonted zeal and spirit into the necessary studies; but the writer of these pages, then himself living in London, can only now recollect the long and pleasant rambles, in which he had the happiness to be his constant associate, in the roads and suburban outlets. It is now well ascertained that at this period he, in some measure, supported himself by literary employment for journals and periodicals—a common resource of Irish students in London.

His connection with the *Morning Chronicle*, then the property of Mr Perry, was the first of his engagements which led to any decided results. Among these, not the least important was the acquaintance, then formed with the lady whom he married about ten years after.\* This lady was a Miss Hull, Mr Perry's niece.

Sometime during this interval, he entered into the publication of the *Talisman*, a weekly paper, with some other literary Irishmen. But the capital was wanting, and it did not succeed in any proportion with the talent engaged upon it. He next accepted an engagement with the proprietors of the *Morning Herald*, which was far more permanently influential in making him known, and giving public effect to his real powers. In that leading journal, he continued for a long time the principal writer and adviser, leading the public opinion on the most important questions then under discussion. Among these, he took an important part in the great reform of the criminal code, then under revision, and contended for or urged by several of the most eminent public men, of whom Romilly was the leader. Taylor, whose humanity was no less prominent than the high public spirit which was perhaps his characteristic quality, lifted his powerful testimony, in the columns of the *Herald*, against the severity of our sanguinary list of capital offences with so much effect as to draw the universal attention of all parties then engaged in political life. And it has been since often admitted that his efforts mainly tended to prepare the ameliorations which have since been happily effected in our criminal jurisprudence, in which, at that time, there was so little proportion between crime and punishment, that the real consequence was impunity, arising from the palpable injustice of the law. For his powerful leading articles on this great evil, during many years, Taylor obtained the universal respect of good and wise men, and earned a just claim to the public monument, which, since then, has been raised to his memory by subscription.

Taylor, soon after he was called to the bar, was employed in a cause which brought out all his best powers, and placed beyond question his

\* Dublin University Magazine, February, 1842.

prospect of attaining still higher distinction as a lawyer than he had already won as a writer. We cannot here enter on the well-known details of the Roscommon peerage case. After much exertion, during the continuance of this arduous and perplexing case, in which he had to reply to the leading counsel on the opposite side, the cause was won by his efforts; and it will be enough to add here, that the Lord Chancellor, in delivering the judgment of the House of Lords, assured him that he had only to go on as he had begun, to obtain the highest professional distinction.\*

His strenuous and bold, as well as talented exertions and remonstrances, were signally conspicuous and successful in saving one of the most beautiful remains of antiquity in the metropolis from the ignorant and barbarous hands of the civil authorities, who had resolved on pulling down the Lady Chapel of St Saviour's for some purpose of trade accommodation. The bad taste, and the abandonment of all true British feeling, in razing a monument of one of the most affecting and awful passages of our national history, for some utilitarian purpose, we forget what, a pump, a bazaar, or a rag-fair, roused the historic feeling and poetry of Taylor's nature. So effective and strong was his appeal, when he appeared professionally in behalf of the committee for the preservation of the building, that they, as a testimony, ordered the armorial bearings of his family to be painted on one of the windows of the Lady Chapel. Similar distinguishing and honourable exertions, on his part, mainly contributed to save the screen in the York Minster Cathedral, which was similarly doomed to destruction.

His circuit business was rapidly increasing during the last few years of his life; and the prospect of a parliamentary career, for which few were more eminently fitted, was already in view, when his health began to show fatal signs of the effect of the severe and unremitting labours of his profession upon a delicate frame. The last exertion in which his great powers, and equally conspicuous moral energies, were nobly displayed, was in the case of the youth Oxford, in which his single efforts were successfully opposed to the earnest exertions of the entire force of the crown.

But the rush of a vast torrent of law business, which, after the last mentioned success, began to pour freely from all quarters, was too much; his frame had been for some time insensibly yielding to the unrelaxed industry which his business required, and which it was his nature to give. He was not patient of trifling, and to his intense spirit, all was trifling but his duties: he could not rest unless by the compulsion of exhausted nature. A most agonising disease, to which the sedentary student is liable, manifested itself, and after several painful surgical operations, which he endured with all the firmness of his character, the powers of life gave way, and he breathed his last on December 10, 1841.

His career had but begun; but it was a beginning worthy of the noble talents and still nobler moral temper, which, had it been so willed, would, in a few years more, have earned no secondary fame, and stopped at no rank but the highest. In the estimation of all who knew him he held the first place: and though but in his beginning he had

\* Dublin University Magazine, *ut sup.*

already made his powers felt, and his talents known to the profession which he was beginning to adorn, and to the public. His spirit of freedom and humanity was so tempered by a sound understanding that there never appeared, in his most enthusiastic moments, a single taint of the demagogue. Nor were these qualities left exposed to the temptations of civil life, and the infirmities which are native to the human heart, without that safeguard which alone deserves to be trusted, and alone is to be considered a security in the season of genuine trial. His goodness did not rest in pride or in self-interest, or in the frail bonds of commercial and social life; he was a Christian, whose faith had been severely tested for many years; for the circle into which he was thrown, during the earlier struggles of his professional life, was that of the scoffer and the scorner. In respect of such influences, Taylor stood firm in the faith, which, in the midst of trials of every kind, preserved the integrity of a noble nature. After his death, a public meeting was called, and was attended by the most eminent men of every party. It originated a subscription for some monument to record the public sentiment. A monument, inscribed as follows, was the result:—"To John Sidney Taylor, A.M., Trinity College, Dublin, and Barrister-at-Law of the Middle Temple, who died December the 10th, 1841, Aged 45. This tomb was raised by the unanimous vote of a Public Meeting held in London, February the 19th, 1842, to mark his maintenance of the principles of constitutional liberty, Christian morality, and his successful exertion in advocating the abolition of the punishment of death."

#### DANIEL O'CONNELL.

BORN A.D. 1775.—DIED A.D. 1847.

DANIEL O'CONNELL was the eldest of a family of four sons and six daughters, of which Sir James O'Connell of Lakeview, near Killarney, is now the only survivor. The ancient seat of the family, Derrynane Abbey, was, in the possession of his uncle Maurice; his father's place was Carhen, on the bay of Valentia; and another uncle, Count Daniel O'Connell, who gained the highest distinction in the French army, and fought his way to the rank of general, entered the English service after the Revolution as one of the colonels of the Irish Brigade, and lived until 1834. The O'Connells held a good position among the ancient Irish families of Kerry, which, as being the most purely Celtic, is the most interesting, the most romantic, and the most attractive county in Ireland. Their motto was *Oculus O'Connell Salus Hibernie*; and in days when Daniel O'Connell had become the leader of the Irish people, it was regarded as a fulfilled prophecy. Very early in life he gave indications plainly to be read of future greatness. At the age of four he astonished a hedge schoolmaster, who conciliated the child by combing his tangled hair painlessly, by learning the alphabet from the mendicant teacher on the doorstep of his father's house in a single hour; and he shewed so much talent at the school to

which he was sent near Cork, at the age of thirteen, that O'Connell of Derrynane undertook to place him and his next nephew, Maurice, at St Omer's College. There he took the first place in all the classes, and the president thus wrote of him to his uncle,—“I never was so much mistaken in my life as I shall be, unless he be destined to make a remarkable figure in society.” The O'Connell boys had been removed to Douay when the French revolution broke out in all its horrors; and on the very day when they set out for England, the regicide of Louis XVI. was taking place in Paris. The students at Douay had been insulted by the soldiery passing through the town, and called “little aristocrats,” “young priests,” and other epithets less complimentary, though not more insulting in the estimation of the bestowers. At their departure the *voiture* was attacked by the republican soldiers with the butt ends of their muskets, and the lads had probably a narrow escape of assassination. It was not surprising that when they were safely on board, in the true liberty of the seas, they tore the tricolor cockades from their hats, and flung them overboard. These incidents probably stamped on the mind of the young agitator a horror of armed revolution and republicanism, which made him adopt the more excellent way in politics of moral force as opposed to physical, and kept him within the limits of the constitution. As a sincere Roman Catholic he detested the impiety, and as a monarchist he abhorred the principles of the French revolution. “Almost a tory” was his description of himself in early life; and tories, by force of nature, if history would have allowed them, the Irish would have been then and always. But O'Connell even from boyhood, when it was a romantic dream, on to manhood when it became an invincible purpose, had the regeneration of the Irish people in view; and for the accomplishment of this it was absolutely necessary to ally himself with English liberalism. Praise or blame him as we may,—call him with some “the liberator,” and “the representative man of his race, and the champion of his people,” or with others the author of all the latter woes of Ireland, the pourer out of a vial more full of wrath than all which preceded it, none can question that his country and his religion were his first and last objects, that he was “Irish of the Irish, and Catholic of the Catholic.” Probably historians will always be divided in their estimate of the good or evil results upon Ireland of O'Connell's career: but no biographer who really makes a study of the man can doubt his sincere patriotism, or fail to see the rugged grandeur of his life. There can be no doubt that from the outset he placed the one purpose before him. He was a solitary champion like Samson, whom in his unarmed campaigns, in his unequal combats, in his grim humour, in his not unblemished moral character, and in the melancholy loss of power and extinction of the possibilities of his life, the great agitator curiously resembled. He was resolved alone to free his people from their degrading yoke, to fire them by his example, and to imbue them with his own fearless spirit. So long had the Roman Catholics of Ireland been accustomed to oppression, that they had lost all manhood of character, and were reduced to that condition of servility which is always combined in an oppressed race with duplicity, cruelty, and cunning. Those vices by which the oppressor justifies the application



of his iron rod are generally the effects of its prolonged application. Daniel O'Connell exaggerated his own natural audacity to give confidence to this down-trodden people, and he explained the coarseness and abusiveness of his language as adopted with this design. His object was to produce a moral effect on the people, even more than to procure their immediate emancipation, or put them on an equality with the rest of the empire. He rather rejoiced in the delays and obstacles interposed between the nation and its goal, because the strength of the torrent increased in the inverse ratio of its progress. To make the nation manly was more than to make it free; and there can be little question that his treatment did tend in that direction, though it demands more than time, viz., the development of new generations, to restore the character and resuscitate the pride of a nation. Its first progress towards manliness is apt to take the form of crime and violence, and this shape it has certainly assumed in Ireland. Much also that is pleasing is lost, with the strength of character gained; much that is unpleasing is gained, with the weakness lost. The Irish have acquired a truculence and violence of language and conduct which will probably pass away, and does pass with the hobbledehoy stage of boyhood; but its existence is in a great degree traceable to the tuition they underwent from the master of strong language. They have also lost the gentleness, the honied phrase, the pleasing flattery, the deference of manner, the foreign courtesy. The peasants touch their hats no more to the well-dressed passer by. They can now stare almost as insolently as an Englishman, and are rude and independent in their ordinary manners. This complete revolution happened in the space of thirty years: it is not a good change, morally or æsthetically, but it shews an alteration in the national character which may in future make Ireland more prosperous materially, and undoubtedly more capable of asserting political rights or claims. O'Connell deliberately wrought for this change, and it is explanatory of his stupendous perseverance in the pursuit of a hopeless aim that he had this greater aim beyond it. He was leading a generation through the wilderness to make this tribe of slaves into a nation of freemen. He did not greatly care for them at once to enter into possession of that towards which he conducted them, nor until the iron of oppression had been worked out of their soul by wanderings and reverses and bracing hardships, did he much desire them to reach the end of political minority. He saw how Grattan and the volunteers had won and lost national freedom. He thought it useless to win what could not be held. He was the educator more than the liberator. Other men have carried great measures, but he carried a nation to the measures which they sought for, and made them able to take and to keep.

O'Connell entered as a law student at Lincoln's Inn in 1794. Some state trials at which he was present in this capacity made a considerable change in his feelings. He began by sympathising with the prosecution, but soon the browbeating and injustice with which they were conducted, converted him into a sympathiser with the accused. A severe fever, just as he was about to enter upon his profession, nearly brought his career to an untimely close. During the intervals of delirium he was often heard repeating from Douglas—

"Unknown, I die; no tongue shall speak of me;  
Some noble spirits, judging by themselves,  
May yet conjecture what I might have proved,  
And think life only wanting to my fame!"

At the crisis of the disorder he was supposed to be dying. It was his strong Irish affection that may be said to have brought him back to life. His father having been called to the bedside to be present at his son's death, when he saw the eyes roll backward, exclaimed with the natural impulse of trying to recall him to the world which he was leaving, "Dan, don't you know me?" The young man's soul seemed to come into his body again; he looked at his father and returned the pressure of his hand; and this rally was followed by many hours of sleep which in the crisis of a fever is the great condition of recovery. O'Connell's temperate habits, which were then so uncommon amongst the gentlemen of Ireland, and particularly of Kerry, combined with the constitution of a Hercules, brought him safely through a furnace from which few would have escaped. In 1798 his horror of revolution was revived by atrocities of the rebels, and he proved his loyalty by becoming a member of the yeomanry corps. It was the year in which he was called to the bar, and the next two years he spent in diligently walking the four courts and studying in the library. His vacations he spent in fishing and coursing—pursuits of which he was during his whole life passionately fond. His first public appearance was at a meeting of Roman Catholics assembled at the Corn Exchange to discuss the Union. Near where the statue of the Liberator now stands, the young lawyer rose trembling to his legs, to hear his own voice for the first time. His speech was short, modest, and to the point, but had no pretensions to eloquence. It created a sensation, not so much by its intrinsic merit, as by the opposition it proclaimed to the Union on the part of the lay Roman Catholics, who were advertised as being in favour of the measure, and from the fact that the hostile resolutions were unanimously carried. The young advocate spoke under very trying circumstances, highly calculated to repress oratory, for a party of military, under the command of the well-known major Sirr, by order of the government, formed part of the audience. The clank of English muskets was then very suggestive to the Roman Catholic mind, and would have disconcerted a less brave man than O'Connell in his maiden speech. His position did not entitle or enable him to take an influential part in the great struggle in which the Irish parliament fell; but the prominence he acquired by carrying the Roman Catholic resolutions, brought him into large practice in the law courts, where his eloquence and legal knowledge, not then a usual combination in Ireland, soon made him supreme at the outer bar. Many years were to pass over before the exclusion of Roman Catholics from the inner bar was to be repealed, and even then an unworthy spirit of vindictiveness continued to withhold the silk gown from O'Connell, when it was conferred on a number of his co-religionists. We may here say that his legal attainments, powers of forensic speaking, and cross-examining, have never perhaps been surpassed. He was a great lawyer, and had he belonged to the established church would to a certainty have attained to the greatest preferment in his profession. Other young lawyers discarded a faith which shut them out from rank

and easily earned wealth, but O'Connell, to whom the temptation was greatest, chose a path on which there were no honours to be earned but those which come from the heart of a grateful people. In the ripeness of his legal reputation, when he was in receipt of a great income, he gave up the profession to devote himself entirely to the popular cause; and if he was maintained in affluence by the Catholic Rent, never was there so free a tribute, and O'Connell's princely hospitality, which left no accumulated savings behind at his death, was necessary to the promotion of his cause. At the bar it was in cross-examination that he chiefly excelled. On this point we may quote a writer to whom we are much indebted in forming a just conception of O'Connell.\*

"The principal success of O'Connell at the bar was, perhaps, not in oratory, but in cross-examining. He had paid special attention to this department, which naturally fell, in a great measure, to the Roman Catholic lawyers, at a time when they were excluded from the inner bar; and he brought it to a degree of perfection almost unparalleled in Ireland. His wonderful insight into character, and tact in managing different temperaments, enabled him to unravel the intricacies of deceit with a rapidity and a certainty that seemed miraculous, and his biographies are full of almost incredible illustrations of his skill." We quote from the same writer a good description of O'Connell's public speaking:—

"He possessed a voice of most unexampled perfection. Rising with an easy and melodious swell, it filled the largest building, and triumphed over the wildest tumult, while at the same time it conveyed every inflection of feeling, with the most delicate flexibility. It was equally suited for impassioned appeal, for graphic narration, and for sweeping the finest chords of pathos and of sensibility. He had studied carefully that consummate master of elocution, William Pitt, and he had acquired an almost equal skill. No one knew better how to pass from impetuous denunciation to a tone of subdued but thrilling tenderness. No one quoted poetry with greater feeling and effect. No one had more completely mastered the art of adapting his voice to his audience, and of terminating a long sentence without effort and without feebleness. His action was so easy, natural, and suited to his subject, that it almost escaped the notice of the observer. His language was clear, nervous, and fluent, but often incorrect, and scarcely ever polished. Having but little of the pride of a rhetorician, he subordinated strictly all other considerations to the end he was seeking to achieve, and readily sacrificed every grace of style in order to produce an immediate effect. 'A great speech,' he used to say, 'is a very fine thing; but after all, the verdict is THE thing.' As Shiel complained, 'he often threw out a brood of sturdy young ideas upon the world without a rag to cover them.' He had no dread of vulgar expressions, coarse humour, or undignified illustrations; but at the same time he seldom failed to make a visible impression; for, in addition to the intrinsic power of his eloquence, he possessed in the highest degree the tact which detects the weaknesses and prejudices of his audience, and the skill which adapts itself to its moods. His readiness in reply was boundless; his arguments were stated with masterly force, and his narrative was always

\* Mr Lecky's *Leaders of Public Opinion in Ireland*.

lucid and vivid. If he endeavoured to become eloquent by preparation, he grew turgid and bombastic. If he relied exclusively on the feeling of the moment, he often rose to a strain of masculine beauty, that was all the more forcible from its being evidently unprepared. His bursts of passion displayed a freshness and genuine character that art can so seldom counterfeit. The listener seemed almost to follow the workings of his mind—to perceive him brewing his thoughts into rhetoric with a negligent but colossal grandeur, with the chisel, not of a Canova, but of a Michael Angelo. Were we to analyse the pleasure we derive from the speeches of a brilliant orator, we should probably find that one great source is this constant perception of an ever-recurring difficulty skilfully overcome. With some speakers appropriate language flows forth in such a rapid and unbroken stream, that the charm of art is lost by its very perfection; with others the difficulties of expression are so painfully exhibited, or so imperfectly overcome, that we listen with feelings of apprehension and of pity. But when the happy medium is attained—when the idea that is to be conveyed is present for a moment to the listener's thought before it is moulded into the stately period, the music of each balanced sentence acquires an additional charm from our perception of the labour that produced it. In addressing the populace, the great talents of O'Connell shone forth with their full resplendency. Such an audience alone is susceptible of the intense feelings the orator seeks to convey. And over such an audience O'Connell exercised an unbounded influence. Tens of thousands hung entranced upon his accents, melted into tears or convulsed with laughter, fired with the most impassioned and indignant enthusiasm, yet so restrained that not an act of riot or of lawlessness, not a scene of drunkenness or of disorder, resulted from these vast assemblies. His genius was more wonderful in controlling than in exciting, and there was no chord of feeling that he could not strike with power. Other orators have studied rhetoric; O'Connell studied man."

O'Connell's colleague, Shiel, has described his mode of life in the noon of his professional career. The silent and absorbed vigil for hours before the dawn; the dimly-lighted study; the crucifix hung on the wall overhead; the motionless form beneath it, bent over the voluminous law-papers scattered in profuse disorder around; the same hermit-like figure, a few hours later, transformed into the bustling barrister, keeping contending attorneys at a run to match his mountaineer rate of going as he hurried to the courts. The third transformation late in the afternoon, when the man of legal points, and formal precedents, and abstruse arguments, would be found the merry, fearless, rollicking agitator, declaiming at a popular meeting, now awakening the universal laughter, now rousing to passionate indignation. Besides these aspects there was another in which he showed most favourably—that was in his home life. He had formed an early attachment to a distant cousin, Miss Mary O'Connell, of Tralee; but his uncle Maurice was bent on the rising hope of the family—his adopted heir marrying "a fortune." The lovers were, therefore, obliged to conceal their attachment for a considerable time; but at last, in 1802, were secretly united. This marriage, which O'Connell of Derrynane never quite forgave, caused some, though not an entire, change in the disposition of his property.



It brought far better than wealth to the young barrister, whose time then, as he afterwards said in answer to the taunt of receiving the O'Connell rent, was worth a guinea a minute, and his emoluments only limited by the extent of his physical and waking powers—it brought him lifelong happiness. Thirty-three years after their marriage O'Connell thus spoke of his wife, and her influence upon his career:—She “was the choice of his youth, the comfort of his life, and his solace in all his troubles and trials. No man could struggle well for his country whose nest was not warm at home, and it was quite certain there was no honey in the cup of life if not administered by the hands of those we love. For his own part he owed much (perhaps the entire) of his public character to Mrs O'Connell. When, in consequence of the chills of disappointment, and the disgusts at the treacheries which every public man in a long course of life is apt to meet with, he felt himself driven almost to give up politics, and betake himself again to that profession in which he had been so successful, he yielded to her earnest solicitations to the contrary, and he had always found himself more loved at home for continuing the struggle for his native land.”

In 1803, the year of Emmett's rebellion, O'Connell joined the lawyers' corps, true to his principle of opposing armed revolution. He was able, at the same time, on two occasions to protect the oppressed from the lawless violence of civilian soldiers, and derived from his experience a strong opinion as to the danger of intrusting arms to men who have not undergone the strict discipline of soldiers: this, of course, only applied to their employment in civil war. O'Connell early became a member of the “Catholic Board,” which, in 1804, was dissolved in obedience to a government proclamation, Pitt having found it necessary to violate the engagement upon which the heads, if not the body, of the Roman Catholics had stood neutral in the crisis of the union, and the organized agitation that ensued being extremely distasteful to the ministry. The “Catholic Board” appeared in the following year as the “Catholic Committee,” and of this O'Connell became in a short time the life and soul. The Whigs came into power in 1806, and expectations were formed, as in the crisis that preceded 1782, that if time were allowed them to carry it cautiously and politically, they would obtain for the Roman Catholics the completion of their emancipation. But O'Connell, like Grattan, was for pressing on, and demanding from supposed friends no less than they had demanded from open enemies. Keogh, whom we have already mentioned in our memoir of Wolfe Tone as a leader of the United Irishmen, was now by age and antecedents the most influential member of the Roman Catholic Committee, and he was one of those who counselled delay, and opposed the constant petitioning which he considered, now that their friends were in power, undignified and vexatious. In the collision of opinion that ensued, the young leader, whose motto for the committee was “agitate, agitate, agitate,” carried the day by a large majority; and Keogh for a time withdrawing from the committee, O'Connell was left in entire possession of the field. Henceforth, until for a while the aristocracy withdrew on the question of the veto, O'Connell drew the whole strength of Roman Catholic Ireland about him. Every day he gave up a portion of his time to the

agitation; and he bore, from his ample professional income, a considerable outlay in forwarding it. The young eagle of agitation soon, however, began to soar in a wider circle. The difficulties of producing an effect on a parliament sitting in England by any agitation, no matter on how great a scale, in Ireland, probably suggested to most Roman Catholic minds about this time how likely it was that the only way to emancipation would be through Repeal. The impulse of public opinion, no matter how tremendous it might be in Ireland, could not propagate itself across the channel, and scarcely made the remotest impression at Westminster. O'Connell was not the originator of the Repeal movement: the germ of it was not of his conception; and we cannot think with an able writer from whom we have already quoted, that from the very beginning this was part of O'Connell's arranged programme of life. That he longed in his earliest dreams to equalise his down-trodden countrymen with the inhabitants of other portions of the empire, we have no doubt whatever; but it was not the development of a far-reaching scheme of O'Connell's, but the result of a growing feeling of powerlessness in political influence, and the disastrous effect of the Union upon trade, that brought the question of Repeal to the front in 1810. It was in the Corporation of Dublin, a body which was principally affected by the latter consideration, that it was first discussed. In consequence of resolutions passed by the common council, an aggregate meeting was called, at which O'Connell was one of the speakers. As in the Roman Catholic Committee where he superseded the old leaders, so in the new agitation he at once came to the front, and in 1811 he was so representative of the movement as to reply to the toast of Repeal.

In his first speech advocating Repeal of the Union in 1810, O'Connell declared that he would gladly abandon Catholic emancipation, or even offer to Mr Perceval to re-enact the whole penal code, if only they might regain an Irish king, an Irish House of Lords, and an Irish House of Commons. The only hope of accomplishing it, he said, consisted in their sinking all denominations in that of Irishman, and restoring an Irish parliament by the union of creeds that had accomplished its independence in 1782, the want of which was the cause of its extinction in 1800. This method of proceeding O'Connell in after years saw to be unhappily impracticable. What was possible in the eighteenth century, before the atrocities of the rebellion of '98, and ere the violent party spirit and religious animosity that sprang out of that rebellion and preceding causes, exacerbated by the tithe war and the perpetual threatening of insurrection and massacre, was obviously impossible as the nineteenth century grew out of its youth. It was probably owing to the discovery that the Repeal of the Union could not be worked out by the method Grattan had found so effective, that O'Connell, instead of devoting himself to the object for which he declared his preference, continued to seek redress for the Roman Catholics from the English parliament.

O'Connell's resolute resistance to the *Veto* was the most important circumstance in his management of the Catholic question. Upon this he took a bold and determined line, which delayed the settlement of it for a great number of years; but, in review of the past, his conduct is

unanimously approved by his co-religionists; and it must also meet the approval of all who are opposed to State-meddling with religious matters. This is not the place to go into the history of the *Veto*, some account of which will be found in the historical introduction to this volume. It is sufficient to say that some of the Roman Catholic bishops would have agreed to the government having this right, in respect to episcopal or decanal appointments, the qualifications of candidates for those offices being subject to the decision of a Board, and none but natural-born subjects or residents of four years' standing being eligible. This Board was also to exercise a scrutiny over all letters written by the ecclesiastical powers abroad to any of the British clergy. The English Roman Catholics were very favourable to the proposal, and it was supported by a rescript from Monsignor Quarantotti, who exercised at Rome the powers of the Pope, then a prisoner in France. The hopes of reinstating the papal government and liberating its head, rested upon a coalition, of which England was the most powerful member; and the papal representative was therefore very willing that a species of *concordat* should be concluded with the Protestant government of England. Two very powerful natural obstacles however existed, where philosophical statesmen and foreign ecclesiastics saw none. One was the abhorrence of the English mob to the spectre of Popery; the other the hatred of the Irish to Protestant interference in their religion, and a violent jealousy of any league between their priests, to whom they are fanatically attached, and the English government which they equally detest. These two obstacles have from time to time prevented the Prussian Church and State relation from being established between Great Britain and the religion of the Irish portion of its population. This would have destroyed at the commencement O'Connell's plan of agitation, which consisted in using the priesthood as its chief instrument. Lord Fingal and other Roman Catholics of high rank were in favour of the veto; so were Grattan and Ponsonby; but O'Connell saw in it only a fatal complement of the Union, adding moral to material subjugation. The priests were the only leaders the Irish peasantry possessed. This measure, which would have been accompanied with concurrent endowment, would have weakened the confidence of the people; they would have been looked upon as the established clergy always were in the days of state endowment, as the emissaries and agents of an alien government. Thus the one hope which O'Connell had, of marshalling the people in a great peaceful army to gain complete political and social equality by sheer force of numbers and organisation, would have been lost by this scheme. He accordingly opposed it with all his popular influence, and completely overpowered the party in its favour. The Roman Catholic bishops and clergy came over to his side almost unanimously, when the feeling of the people was manifested; and from henceforth, through the medium of O'Connell, that relationship sprung up between the Roman priests and Irish politics, which has been attended for half a century with such important results. There are clear evidences that the priests themselves were very unwilling at first to enter into politics. Their Church, so far as concerned the ministrations of parish priests, was opposed to interference in the public affairs of this world; but in Ireland the rule was completely abandoned by the influence of O'Connell. It

will be seen further on in this memoir what a wonderful power was thus raised up, and with what resistless force it carried its objects not only in Ireland, but in the British legislature; and not as concessions bought by counter-concessions, but as rights victoriously asserted. The complete collapse of the cause which in all appearance was so nearly won, was due to the conclusion of peace in 1814, far more than to the defeat of the proposed compromise by the democratic opposition roused by O'Connell. Shiel says:—"The hopes of the Catholics fell with the peace. A long interval elapsed, in which nothing very important or deserving of record took place. A political lethargy spread itself over the great body of the people; the assemblies of the Catholics became more unfrequent, and their language more despondent and hopeless than it had ever been." England is an eminently practical country where abstract considerations are little weighed or valued; and with peace abroad there was no longer a necessity for conciliation at home. Ireland had given no trouble to England during the titanic struggle, when all her force was put forth abroad, and Irish soldiers had won her battles; and she had now done with Ireland, and could afford to treat with contempt the claims which, in the expectation of such a time, she had hitherto met with procrastination. Lord Whitworth received orders to suppress the Catholic Board by proclamation; a proclamation suppressing it was accordingly issued on the 3d of June. Under the direction of O'Connell, whose just boast it was that he could drive a coach and six through any act of parliament, the agitation proceeded under the form of "Aggregate Meetings"—thus avoiding the penalties of the Convention Act. At this time, had it not been for O'Connell, there would probably have been an end of the Roman Catholic claims. But he was one whom nothing could dishearten. His audacity and violence increased. His fire shewed brighter as the darkness fell deeper upon the prospects of his party. He denounced by a wealth of epithet and coarse but effective abuse, the opponents of the Catholic claims and their high-handed and unfair proceedings. When he defended Magee for a libel in the *Evening Post*, in a speech which ranks the highest in his forensic efforts, his defence was adjudged an extreme aggravation of the libel. The alleged libel was a severe and uncomplimentary review of the Duke of Richmond's administration. The prosecution was conducted by the Attorney-general (Saurin) and the Solicitor-general (Bushe); and there is unfortunately no doubt whatever that the former was responsible for having procured a packed jury to try the case. It consisted of citizens of probity and respectability, but conspicuous Protestants and Orangemen, members of anti-popery societies, and blinded by prejudice and incapable of deciding impartially in a matter connected with religion. O'Connell was hopeless of a verdict, but he afforded himself and his client the satisfaction of inflicting severe punishment upon all concerned, including judge, jury, prosecutors, and administration. This speech was chiefly historical, and was an arraignment of Protestant government in justification of Magee's criticism. It would be impossible, without occupying too much of our space with transcription, to give the reader an idea of the speech in this respect. His onslaughts upon the components of the court were put in the shape of supposititious cases. For instance, Bushe had informed the jury that they were bound to decide exclusively upon the



ruling of the court:—"If the Solicitor-general's doctrine were established, see what oppressive consequences might result. At some future period some may attain the first place on the bench by the reputation which is so easily acquired by a certain degree of churchwardening piety, added to a great gravity and maidenly decorum of manners. Such a man may reach the bench, for I am putting a mere imaginary case. He may be a man without passions, and therefore without vices. He may, my lord, be superfluously rich, and therefore not to be bribed with money, but rendered partial by his bigotry, and corrupted by his prejudices. Such a man, inflated by flattery and bloated in his dignity, may hereafter use that character for sanctity which has served to promote him, as a sword to hew down the struggling liberties of his country. Such a judge may interfere in a trial, and at the trial be a partisan." He was particularly ferocious to the jury, entirely departing from the conventional adulation which juries are accustomed to receive as their due. It was not very pleasant to be empannelled under such a discharge of irony as the following:—"I proceed with this alleged libel. The next sentence is this, 'the profligate unprincipled Westmoreland.' I throw down the paper and address myself in particular to some of you. There are, I see, amongst you some of our bible distributors, and of our suppressors of vice—distributors of bibles, suppressors of vice. What call you profligacy? What is it you would call profligacy? Suppose the peerage were exposed to sale, set up at auction,—it was at that time a judicial office,—suppose that its price, the exact price of this judicial office, was accurately ascertained by daily experience, would you call that profligacy? If pensions are multiplied beyond bounds and beyond example,—if places were augmented until invention was exhausted, and then were subdivided and split into halves, so that two might take the emoluments of each, and no person do the duty,—if these acts were resorted to in order to corrupt your representatives, would you, gentle suppressors of vice, call that profligacy? If the father of children selected in the open day his adulterous paramour,—if the wedded mother of children displayed her crime unblushingly,—if the assent of the titled or untitled wittol to his own shame were purchased with the people's money,—if this scene—if these were enacted in the open day, would you call that profligacy, sweet distributors of bibles? The women of Ireland have always been beauteous to a proverb; they were without an exception chaste beyond the terseness, but the depraved example of a depraved court has furnished some exceptions, and the action for criminal conversation, before the time of Westmoreland unknown, has since become more familiar to our courts of justice. Call you the sad example which produced those exceptions—call you that profligacy, suppressors of vice and bible distributors? The vices of the poor are within the reach of control; to suppress them you can call in aid, the churchwarden, and the constable: the justice of the peace will readily aid you, for he is a gentleman; the court of sessions will punish those vices for you by fine, by imprisonment, and, if you are urgent, by whipping. But, suppressors of vice, who shall aid you to suppress the vices of the great? Are you sincere, or are you, to use your own phraseology, whitewashed tombs—painted charnel houses? Be ye hypocrites? If you are not,—if you be sincere (and oh how I wish

that you were),—if you be sincere, I will steadily require to know of you what aid you expect to suppress the vices of the rich and great? Who will assist you to suppress those vices? The churchwarden! Why he, I believe, handed them into the best pew in one of your cathedrals, that they might lovingly hear divine service together. The constable! absurd. The justice of the peace! no, upon his honour. As to the court of session, you cannot expect it to interfere; and, my lords, the judges are really so busy at the assizes in hurrying the grand juries through the presentments, that there is no leisure to look after the scandalous faults of the great. Who then, sincere and candid suppressors of vice, can aid you? The press; the press alone talks of the profligacy of the great, and, at least, shames into decency those whom it may fail to correct. The press is your only assistant. Go then, men of conscience, men of religion, and convict John Magee, because he published that Westmoreland was profligate and unprincipled as a lord lieutenant; do convict, and then return to your distribution of bibles, and to your attacks upon the recreations of the poor under the name of vices!"

Again, he bids the jury suppose themselves as Protestants in the position of the Roman Catholics in some foreign land, Portugal, for instance. Suppose theirs to be the prevailing religion, but that they were governed by the viceroy of another nation, from which no kindness ever flowed spontaneously, and justice in scanty measure was only to be wrung by terror and apprehension:—"You, Protestants, shall form, not as with us in Ireland, nine tenths, but some lesser number, you shall be only four fifths of the population; and all the persecution which you have yourselves practised here upon the papists, whilst you, at the same time, accused the papists of the crime of being persecutors, shall glow around; your native land shall be to you the country of strangers; you shall be aliens in the soil that gave you birth; and whilst every foreigner may, in the land of your forefathers, attain rank, station, emolument, honours, you alone shall be excluded; and you shall be excluded for no other reason but a conscientious adherence to the religion of your ancestors.

"Only think, gentlemen, of the scandalous injustice of punishing you because you are Protestants. With what scorn, with what contempt do you not listen to the stale pretences, to the miserable excuses by which, under the name of state reasons and political arguments, your exclusion and degradation are sought to be justified. Your reply is read—'Perform your iniquity, men of crimes,' you exclaim; 'be unjust—punish us for our fidelity and honest adherence to truth; but insult us not by supposing that your reasoning can impose upon a single individual either of us or of yourselves.' In this situation let me give you a viceroy; he shall be a man who may be styled—by some person disposed to exaggerate beyond bounds his merits, and to flatter him more than enough—an honourable man and a respectable soldier; but in point of fact, he shall be of that little-minded class of beings who are suited to be the playthings of knaves—one of those men who imagine they govern a nation, whilst in reality they are but the instruments upon which the crafty play with safety and with profit. Take such a man for your viceroy, Protestant Portuguese. We shall begin by making this tour from

Tras os Montes to the kingdom of Algesiras—as one amongst us should say, from the Giant's Causeway to the kingdom of Kerry. Upon this tour he shall effect great candour and goodwill to the poor suffering Protestants. The bloody anniversaries of the inquisitorial triumphs of former days shall be for a season abandoned, and over our inherent hostility the garb of hypocrisy shall for a season be thrown. Enmity to the Protestants shall become, for a moment, less apparent; but it will be only the more odious for the transitory disguise. The delusion of the hour having served its purpose, your viceroy shows himself in his native colours; he selects for office, and prefers for his pension-list, the men miserable in intellect, if they be but virulent against the Protestants; to rail against the Protestant religion—to turn its holiest rites into ridicule—to slander the individual Protestants, are the surest, the only means to obtain his favour and patronage. He selects from his Popish bigots, some being more canine than human, one who, not having talents to sell, brings to the market of bigotry his impudence—who, with no quality under heaven, but gross, vulgar, acrimonious, disgusting, and shameless abuse of Protestantism to recommend him, shall be promoted to some accountant-generalship, and shall riot in the spoils of the people he traduces, as it were, to crown with insult the severest injuries. This viceroy selects for his favourite privy councillor some learned doctor, half lawyer, half divine, an entire brute, distinguished by the unblushing repetition of calumnies against Protestants.\* This man has asserted that Protestants are perjurers and murderers in principle—that they keep no faith with Papists, but hold it lawful and meritorious to violate every engagement and commit every atrocity towards any person who happens to differ with Protestants in religious belief. This man raves in public against the Protestants, and has turned his ravings into large personal emoluments. But whilst he is the oracle of minor bigots, he does not believe himself—he has selected for the partner of his tenderest joys, of his most ecstatic moments—he has chosen for the intended mother of his children, for the sweetener and solace of his every care, a Protestant, gentlemen of the jury. Next to the vile instruments of bigotry, his accountant-general and privy councillor, we will place his acts. The Protestants of Portugal shall be exposed to insult and slaughter. An Orange party—a party of Popish Orangemen—shall be supposed to exist; they shall have liberty to slaughter the unarmed and defenceless Protestants, and as they sit peaceably at their firesides. They shall be let loose in some Portuguese district, called Monaghan; they shall cover the streets of some Portuguese town of Belfast with human gore; and in the metropolis of Lisbon the Protestant widow shall have her harmless child murdered in the noonday, and his blood shall have flowed unrequited, because his assassin was very loyal when he was drunk, and had an irresistible propensity to signalise his loyalty by killing Protestants. . . . The Protestant Portuguese seek to obtain relief by humble petition and supplication. . . . Well, gentlemen, for daring thus to remonstrate, the Protestants are persecuted. . . . To carry on these persecutions the viceroy chooses for his first inquisitor the descendant of some Popish refugee,† some man

\* Dr Duigenan.

† Saurin, the Attorney-General.

with an hereditary hatred to Protestants. He is not the son of an Irishman, this refugee-inquisitor; no, for the fact is notorious that the Irish refugee Papists were ever distinguished for their liberality, as well as for their gallantry in the field and talent in the cabinet. This inquisitor shall be, gentlemen, a descendant from one of those English Papists who was the dupe or contriver of the Gunpowder Plot! With such a chief inquisitor can you conceive anything more calculated to rouse you to agony than the solemn mockery of your trial? This chief inquisitor begins by influencing the judges out of court. He proceeds to inquire out fit men for his interior tribunal, which, for brevity, we will call a jury. He selects his juries from the most violent of the Popish Orangemen of the city, and procures a conviction against law and common sense, and without evidence." . . . "Yes, gentlemen, place yourselves as Protestants under such a persecution. Behold before you this chief inquisitor, with his prejudiced tribunal—this gambler with a loaded dice, and now say what are your feelings, what are your sensations of disgust, abhorrence, affright!" O'Connell then proceeds to picture some Popish advocate generously starting up to defend his Protestant country in cool and measured language, dragged off to an unfair trial, and menaced with a dungeon for years. "With what an eye of contempt, and hatred, and despair would you not look at that packed and profligate tribunal which could direct punishment against him who deserved rewards! What pity would you not feel for the advocate who heavily and without hope laboured in his defence; and with what agonized and frenzied despair would you not look to the future destinies of a land in which perjury was organized, and from which humanity and justice had been for ever banished!"

We have given specimens of this remarkable speech at some length as characteristic samples of O'Connell's style, although obliquity in his invective was not with him a usual artifice. This was a daring address to make in the ascendancy days, and none but O'Connell could have done it with impunity: his violence was so habitual that it was licensed. It may well be imagined, however, the unbounded hatred entertained by the Protestants of Ireland against the man who thus bearded them. The Roman Catholics had not dared to avail themselves of the liberty that they now actually enjoyed. They still cringed back in a corner of their cage, although the cage door was open. O'Connell stalked abroad, and showed his license in an exaggerated manner, to give confidence to those whose nervous system was intimidated. Mr Shiel says in his sketch of O'Connell:—"The admirers of king William have no mercy for a man who, in his seditious mood, is so provoking as to tell the world that their idol was 'a Dutch adventurer.' Then his intolerable success in a profession where many a staunch Protestant is condemned to starve, and his fashionable house in Merriion Square, and, a greater eyesore still, his dashing revolutionary equipage, green carriage, green liveries, and turbulent popish steeds, prancing over a Protestant pavement, to the terror of Protestant passengers,—these, and other provocations of equal publicity, have exposed this learned culprit to the deep detestation of a numerous class of his majesty's hating subjects in Ireland. And the feeling is duly communicated to the public; the loyal press of Dublin



teems with the most astounding imputations upon his character and motions."

We have already said that Mr O'Connell's defence of Magee, which was published in his client's newspaper, was deemed an aggravation of the libel. The Attorney-general, who had received such severe punishment on that occasion, gave utterance in November to the rage excited in July; and in his motion in aggravation of sentence not only tried to kindle answering emotions in the Chief-justice (Downes), who had also come in for a share in the castigation, but used the most unusual language towards O'Connell. The reply, which did not prevent Saurin's motion from being successful, was certainly a severe aggravation of the punishment which the solemn and monotonous Attorney-general, by no means an adept in the vituperation his legal conduct provoked, had already undergone at the same hands. O'Connell expressed satisfaction that such language had been addressed to him in the temple of the law, because it enabled him to overcome the infirmity of his nature, "and to listen with patience to an attack which, had it been made elsewhere, would have met merited chastisement." Here the judges interposed angrily, and asked what it was he said. O'Connell enlarged and elucidated his former strong expressions, explaining that he would have been led "to break the peace by chastising him." Judge Daley having declared that they would grant a criminal information if it were applied for on that word, O'Connell, to make his meaning clearer, explained that he meant that he would have inflicted corporal punishment. Judge Day, after threats of committal from the other judges, assured O'Connell that the attorney had meant no aspersion upon him; and Saurin shortly after was obliged to disavow having intended any, although the intention had been perfectly plain. There was certainly something rather ludicrous and feebly spiteful in visiting upon O'Connell's client the severe handling they had received from himself some months previously. They had no doubt writhed under its infliction, but they had not been able to interrupt, or perhaps were afraid of aggravating its trenchant force; but after smarting under it for four months, the Chief-justice and Attorney-general (the Solicitor being the only one who had escaped O'Connell's lash, could not be accused of a motive of spite), instead of mustering up courage enough to return the attack of the principal, had revenge upon the client, who moreover disavowed the speech.

O'Connell thus concluded his speech, in which he argued in the most able and conclusive way against the address of an advocate being taken as an aggravation of his client's offences, because he had not interrupted him any more than the judges:—"I conclude by conjuring the court not to make this a precedent that may serve to palliate the acts of future, and perhaps bad times. I admit—I freely admit—the Utopian perfection of the present period. We have everything in the best possible state. I admit the perfection of the bench. I conceive that there cannot be better times, and that we have the best of all possible prosecutors. I am of those who allow that the things that be could not be better. But there have been heretofore bad times, and bad times may come again. There have been partial, corrupt, intemperate, ignorant, and profligate judges. The bench has been disgraced

by a Bilknap, a Tressilian, a Jeffers, a Scroggs, and an Alleybown. For the present there is no danger; but at some future period such men may rise again, and, if they do, see what an advantage they will derive from the precedent of this day should it receive your lordships' sanction. At such a period it will not be difficult to find a suitable Attorney-general,—but some creature narrow minded, mean, calumnious, of inveterate bigotry and dastard disposition, who shall persecute with virulence and malignity, and delight in punishment. Such a man will with prudent care of himself receive merited and contemptuous retort. He will safely treasure up his resentment for four months. His virulence will for a season be checked by his prudence, until at some safe opportunity it will explode by the force of the fermentation of its own putrefaction, and throw forth its filthy and disgusting stores to blacken those whom he would not venture directly to attack. Such a man will with shameless falsehood bring sweeping charges against the population of the land, and afterwards meanly retract and deny them without a particle of manliness or manhood. He will talk of bluster, and bravado, and courage, and will talk of those falsely, and where a reply would not be permitted. If such times arrive, my lord, the advocate of the accused will then be interrupted and threatened by the bench, lest he should wipe off the disgrace of his adversary, the foul and false calumnies that have been poured in on him. The advocate then will not be listened to with the patience and impartiality with which in the case of a similar attack your lordships would listen to me. The then Attorney-general may indulge the bigoted virulence and the dastard malignity of an ancient and irritated female, whose feelings evaporate in words, and such judges as I have described will give him all the protection he requires; and although at present such a dereliction of every decency which belongs to gentlemen would not be permitted, and would rouse your indignation, yet in such bad times as I have described, the foul and dastard assailant would be sure, in court and beyond it, to receive the full protection of the bench, whilst the object of his attack would be certain of meeting imprisonment and fine were he to attempt to reply suitably. My lords, you would act so differently; you would feel with me the atrocity of such a proceeding; you, my lords, will not sanction the attempt that has been made this day to convert the speech of counsel against the client, lest by doing so you should afford materials for the success of any future Attorney-general, as I have endeavoured to trace to you. Before I sit down, I have only to add that I know the reply of the Solicitor-general will as usual be replete with talent; but I also know it will be conducted with the propriety of a gentleman, for he is a gentleman,—an Irish gentleman: but great as his talents are, they cannot upon the present document injure my client."

It is amusing to observe the respect which O'Connell displays for the dangerous orator (Bushe) who was coming after him, combined with the merciless treatment of the weaker vessel whose contents had already been poured out. We do not, however, at all mean to imply that the man who afterwards contended so gallantly with Stanley and Peel in the unfriendly English House of Commons was actuated on this occasion by moral cowardice.

Magee was sentenced to two years imprisonment, and to be further confined until the payment of a fine of £500, which he could not pay, and the infliction of which was therefore unconstitutional.

In 1815 an event occurred which had a great effect upon O'Connell, and gave a more decidedly religious turn to his character, in fact converted him from a Roman Catholic by birth and education, by sympathy and patriotism, into somewhat of what is disparagingly called a devotee. It was his duel with Mr. D'Esterre. D'Esterre took umbrage at an expression which O'Connell had employed to describe the Dublin municipal body. He had called it "a beggarly corporation," and D'Esterre being one of its neediest members, considered the insult personal. In the duel which he provoked, O'Connell's bullet struck him on the hip, and the wound proved fatal. His death was a subject of grief and remorse to his slayer during the remainder of his life. D'Esterre was the least bigoted member of the corporation of Dublin, and had even opposed the anti-Catholic party; but he unfortunately allowed himself to be urged on by those who perhaps hoped that his cool nerve would rid them of a formidable enemy.

A passage in one of O'Connell's speeches in the same year, at an aggregate meeting of Roman Catholics nearly led to a duel with Sir Robert, then Mr Peel, and chief secretary to the lord lieutenant of Ireland. The passage accused Mr Peel of traducing him in a place where he could not be called to account, and called on his police agents who were present to take notes, to report to their employer that he dare not in any place where he might be made personally liable, use a single expression derogatory to O'Connell. In consequence of this, Sir Charles Saxton called upon him, as Peel's friend, and suggested that after what had transpired he expected a communication. There is some doubt as to what passed in the interview between the two "friends;" but a meeting was about to take place when O'Connell was put under arrest, and Peel obliged to leave for England. Both were bound over to keep the peace in heavy penalties. The affair was renewed by an expression of O'Connell's ascribing to his opponent a preference for "paper war." It was arranged that the duel was to take place at Ostend, and thither Peel repaired. Notwithstanding the greatest efforts of O'Connell to follow, he was secured by the officers in London, and again bound over to keep the peace.

The dissensions with regard to the veto and other "securities," as they were called, occupied a considerable time, and divided the Roman Catholic party. Not only did the natural heads of that party in Ireland, such as Lord Fingal, Sir Edward Bellew, and Lord Southwell, secede, but those who, standing outside the Romish pale, had acted as their powerful advocates, were disappointed and indisposed to proceed. O'Connell, however, was not to be shaken from the resolve to obtain unconditional emancipation. He would not, in his own phrase, cede to a Protestant ministry the patronage of the Catholic church. Such propositions were as insulting to his feelings as a scheme for giving the control of the appointment of Ulster rectors and vicars to the Pope of Rome would have been to the feelings of an Orangeman of Belfast. It was outrageous: the deepest political degradation was preferable; and the offer of it by such friends as Donoughmore and

Grattan was unspeakably wounding to O'Connell, and seemed to shew him that even by them the Irish Catholics were still regarded as "whitewashed negroes," and dwarfed below the size of natural men by the old contempt of their religion and race. He looked upon the "securities" as artfully introduced to divide the Catholic forces, and in vain exhorted them to unanimity. Unanimity was never fully recovered, and the split was permanently injurious. With O'Connell remained the democracy; with him the clergy; but for the time the agitation lost respectability, and it was in this element that O'Connell's agitation was to the end deficient. It never regained the tone that it lost by the secession of the Catholic nobility, and the temporary separation of Grattan and the other parliamentary advocates of emancipation. O'Connell established his position, but it was that of a democratic, as distinguished from a national leader; and in that channel the agitation, for objects popular in Ireland, has ever since flowed. Possibly the necessity which O'Connell was under of throwing himself entirely upon the masses, and discarding the use of rank and influence, is to be regarded as having hastened the process of raising the Irish to national manhood. Mr Lecky says,—“All preceding movements since the Revolution (except the passing excitement about Wood's halfpence) had been chiefly among the Protestants, or the higher order of the Catholics. The mass of the people had taken no real interest in politics, had felt no real pain at their disabilities, and were politically the willing slaves of their landlords. For the first time, under the influence of O'Connell, the great swell of a really democratic movement was felt.” O'Connell was successful over all the favourers of compromise,—the English Catholics, Protestant liberals, the aristocratic Catholic party in Ireland, and the Pope himself. He swayed the Irish bishops and clergy to oppose it in Ireland and at Rome, and in spite of the eloquence of Shiel and the secessionists, who got up a separate committee, holding its meetings at lord Trimblestone's, and presenting its own petition, he turned the heart of the people with him as the heart of one man. But for the time the cause of the Irish was lost at Waterloo, which was won by an Irish general commanding a more than half-Irish army. For several years O'Connell's efforts to carry on the agitation were entirely unsuccessful. There is little to detain us in the transactions of his life until 1820. A petty struggle continued between the vetoists and anti-vetoists (the latter being willing to accept domestic nomination, *i.e.*, the selection of bishops by the Pope out of a list forwarded to him by the prelates of the province and the clergy of vacant dioceses), but the two parties merely neutralized one another.

In 1820-21, however, the public agitation—and it is with this, not with the parliamentary fortunes of the measure, that we are concerned in writing O'Connell's biography—at length revived in full vigour. Rome had spoken at last, but so equivocally, as became an oracle, that the veto was not removed from controversy. Lords Fingal and Southwell, and the rest of the coterie, were able to return with dignity, but still put forward their unpalatable schemes without any of their old influence. Grattan was dead, and Plunket held the place of parliamentary champion of the Catholic claims. O'Connell's perseverance,



which alone had kept up the battle for several weary years, during which he could often get only half a dozen to assemble together at the Catholic committee rooms, the rent and expenses of which he defrayed out of his own means, was now rewarded by overflowing assemblies. The visit of George IV. in 1821 was hailed by the Roman Catholics as the dawn of their freedom. The king begged that religious differences might be laid aside, and during the short period of his visit Irishmen lived in most unheard of concord. O'Connell was fooled with the rest, and drank the Orange toast to please the king, whom he flattered more than he had ever abused an enemy. Lord Byron, who was much interested in the Catholic cause, an interest derived partly perhaps through his friend Shelley, celebrated O'Connell as the Irish Avatar. It was reported that he wore upon circuit a fur cap and gold band which he had received from the king; this ridiculous story he of course contradicted, but it shews how much he had discredited himself by an excess of flattering and servility, which turned out, in a short time, to have been quite in vain.

It was when the hopes in this rising sun had long been clouded, in the year 1823, the marquis of Wellesley being lord-lieutenant, and Plunket by his conduct in the bottle riot quite re-established in the popularity which his position with regard to the veto had partly overthrown, that the Catholic Association was founded. The objects put forth in its formation were to promote religious education, to collect statistics bearing on the Catholic cause, and to answer charges. The Association met at Dempsey's in Sackville Street. At the early meetings, so little interest was felt in it, and so much were the members opposed to O'Connell's plan of a subscription to carry on the agitation, that for several days it was impossible to get together a quorum, which by their rules had been fixed at ten. An amusing account is given of his attempts to assemble the number, and the triumph with which Mr Purcell O'Gorman, as secretary, on each succeeding day took out his watch to shew that the time had expired, and announced the meeting adjourned. At length O'Connell rushed out and seized upon two young Maynooth priests, who were members *ex officio*, and forced them out of a shop where they were making some purchases, just in time to complete the quorum. Immediately after they had been made to perform this unwilling service, the captives (for at that time political agitation was new to the priesthood) slipped away from the meeting, which O'Connell proceeded to address. This difficulty was soon removed, and the Association grew to enormous proportions. It was recommended that petitions should be sent from every parish in Ireland; and meetings were organised to carry the agitation into every part of the country. For this purpose the Roman Catholic priests were enlisted, and once fairly set in motion formed a machinery of immense power. O'Connell and Shiel went from meeting to meeting delivering powerful addresses. The Catholic Rent was started and united the people in a sensible bond, by making the meanest man feel himself to be a contributor to the good cause, and a sharer in the struggle for liberation. This enormous agitation, the din of which was unceasing, required all the strength and time of its arch-promoter, who accordingly had to give up his profession, and depend upon the voluntary tribute of the people. He raised the nation

in a few years, by unheard of exertions of zeal and eloquence, to irresistible strength. Marshallled by O'Connell in its unarmed might, the Irish people presented a far grander spectacle than when in 1782 Grattan had marshalled it by armed force. Between the old leaders strong in the power of the volunteers, and the Young Ireland leaders who rose in a later day, relying on physical force also, though for far different and wholly wild objects, a physical force, too, that was as ineffectual as the strength of the brutes to throw off the empire of man,—O'Connell stands out as the apostle of the true constitutional method of proceeding to redress grievances and obtain rights, and in this character ought to command the respect of conservatives, who in their true function should esteem themselves conservative rather of methods than of ends. In a letter to Gerald Griffin in 1828, John Banim mentioned the general admiration among Englishmen of his acquaintance, for the proceedings in Ireland, and added, from a keen appreciation of the instincts of his admiring friends, "If you proceed as you have begun, you must succeed, but if one drop of blood is shed, you will be trampled down." But although O'Connell's proceedings commanded this stern admiration and tolerance across the channel, in Ireland he was looked upon by the Protestants with hatred and terror passing description. "O'Connell, the Pope, and the Devil," were commonly coupled together by infuriated Orangemen. Meanwhile the tide rose in power, and the Catholic Rent, which consisted of monthly subscriptions of one penny instead of one shilling a year, which had been in the first instance the subscription of associates, rose to an average of £500 a week, representing half a million of enrolled associates. This large revenue was applied to defending men unjustly accused, prosecuting Orangemen for alleged violations of the law, paying parliamentary expenses, and assisting in the support of Roman Catholic schools. A sum of uncertain amount, but not too large for his services, was devoted to the man who had built up the wonderful fabric. After Shiel, the most powerful of O'Connell's lieutenants was the celebrated Bishop Doyle, known as J.K.L.

In 1825, Mr Goulburn, who was then Chief Secretary for Ireland, brought in and carried a bill for the suppression of "unlawful associations in Ireland." This was, of course, directed against the Catholic Association. In consequence of the passing of this bill, acting under O'Connell's advice, the Association immediately dissolved itself, and came into fresh existence under the title of "The New Catholic Association." The act was never put in force; it was a *brutum fulmen*. No man knew better or had more experience than O'Connell in evading acts of Parliament. But the Government had a bill of a different kind in its quiver—it was one to grant a stinted measure of emancipation, and a liberal one of disfranchisement, and not illiberal bribery to the Roman Catholic bishops and clergy. The former were to receive £1000 a-year, deans £300, parish priests £200, and curates £60. These emoluments undoubtedly would not have been accepted. But the bill was defeated in the Upper House. About this time O'Connell and Shiel went to London, for the purpose of being heard at the bar of the House of Commons against the Unlawful Associations Bill. Mr Brougham moved their being heard, but the motion was of course rejected. It was on

this occasion in the debate on the motion that an incident occurred which is thus related by Shiel:—Sir Robert Peel having connected the Catholic Association with sedition by an address which it had presented to the *ci-devant* rebel, Archibald Hamilton Rowan, “he became heated with victory, and, cheered as he was repeatedly by his multitudinous partisans, turned suddenly towards the part of the House where the deputies were seated, and looking triumphantly at Mr O’Connell, with whom he forgot for a moment that he had once been engaged in a personal quarrel, shook his hand with scornful exultation, and asked whether the House required any better evidence than the address of the Association to ‘an attainted traitor!’” Brougham did not lose the advantage which this mistake gave him, and made a very telling and damaging reply. O’Connell and Shiel were made much of by the Whigs, whom the former at another time immortalised in Ireland as “the base, bloody, and brutal Whigs.” They certainly did not in that generation or the preceding fulfil the expectations which the popular party had reason to form from them. They were too cool and calculating for the Irish to love. They are accused of having played Ireland’s wrongs as counters in the game of English politics—a battering-ram wherewith to get in, suitable for attack, but not defence. The bill for the emancipation of the Catholics, with the wings, consisting of payment of the clergy and disfranchisement of the forty-shilling freeholders, was brought forward before O’Connell and the deputation had quitted London. The blandishments and flatteries of the Whig aristocracy had almost induced him to agree to this settlement; but on his return to Ireland the spell fell from him; he found that his popularity was injured even by the momentary faltering, and he completely retracted his assent. The measure was thrown out in the House of Lords, which settled the matter for the time.

In the general election of 1826, the Catholic Association began to assert itself as a political power. It was resolved to endeavour to wrest some of the county seats from the great families which had hitherto regarded them as appanages. A great contest in the county of Waterford led to the defeat of the Beresfords by a popular candidate of the established religion, Mr Villiers Stuart. A similar victory was gained over the Jocelyns and Fosters in Louth by another similar candidate of the Association, a Mr Dawson. These, and some other successes, were visible and practical evidences of the power which O’Connell had been building up for so many years, and not only excited real alarm in England, where facts are the only arguments that effectually reach the understanding; but they drew to the cause sympathy and pecuniary aid from France and the British colonies. The Irish in all parts of the world contributed to the Catholic Rent. In 1828, O’Connell originated the idea of a monster petition from the Roman Catholics, praying for the relief of the Protestant Dissenters. It received 800,000 signatures. The same session the repeal of the Test and Corporation Acts effected the object of the petition, the relief of Protestant Nonconformists. And now came the great event of the agitation, which opened the eyes of England, and filled bigotry with alarm, rage, and astonishment. Mr Vesey Fitzgerald, the popular member for Clare, a staunch friend of the Catholics, and son of Prime Serjeant Fitzgerald, who lost his place by

patriotically opposing the Union, joined the Ministry of Wellington and Peel as President of the Board of Trade. The Association was pledged to oppose any adherent, much more a member of that Government; and notwithstanding Mr Fitzgerald's strong claims for an exception being made in his favour, and O'Connell's advice that his re-election should not be opposed, the Association determined on starting an opposition candidate. Major Macnamara, a Protestant gentleman of the county, was their first choice; but after keeping them for some time in suspense, this gentleman declined to come forward; and it was found that no member of the county gentry was willing to incur the odium of opposing Mr Fitzgerald. We must refer the reader to our introduction for a full account of what ensued. Suffice it to say here that O'Connell determined to come forward as a candidate himself; that several brilliant speakers of the Association went down and held meetings all over the county, and made speeches at fairs and markets, outside the Roman Catholic chapels when mass was said, or wherever they could collect a crowd by day or night. The priest put his influence against the landlords; he pitted the peasant's conscience against his interest, and conscience won the day—a significant fact, incomprehensible and flagitious to Englishmen. Father Maguire, who had met Mr Pope in famous controversy, went down to support O'Connell. This was the first occasion upon which the Roman Catholic clergy really entered the political field in a body. It was the first occasion upon which they spoke from every altar, robed in their sacred vestments, and commanded their flocks, in the name of religion, to vote for O'Connell. It is impossible to say that in this particular instance they were wrong in coupling religion with politics. Nothing is more ridiculous than to say that in politics alone the terrors of the world to come are not to be brought to bear upon the concerns of the present world. The clergy are bound to warn their flocks against evil; and a vote may be sinful if it be given for the enemies or against the friends of religion. This by no means excuses the Roman Catholic clergy for systematic intermeddling with politics; where the interests of religion are not at stake, altar denunciations have no basis in truth, and are therefore unwarrantable. The Church has no right to exact obedience except in matters which are clearly spiritual: her kingdom is not of this world; but there never was a case in which the priests of the Roman Catholic Church were more justified in their interference. There were none of those scenes of violence and intimidation which have in recent times disgraced religion in causes with which it has been improperly associated. Gerald Griffin, who was passing through Clare during the election, wrote to his friend Banim in London:—"The people have certainly proved themselves to be a most resolute set of fellows—no drunkenness, no riot, patience and coolness beyond anything that could be looked for. They fill the streets more like a set of Pythagorean philosophers than a mob of Munster men."

There was a sort of compact between the people and their leaders that nothing was to tempt them into violence. The landlords brought up their tenants guarded by bailiffs; but at the poll a wave of O'Connell's hand, or the word of command from a priest, left them without a follower. The feudal bond of allegiance was broken by a stronger. O'Connell headed the poll by a majority of nearly a



thousand; and after an argument before the assessor, in which it was decided that a Roman Catholic might be elected, and that the further decision would rest with parliament should the candidate refuse to take the oaths, the victory was duly proclaimed, and the question of Catholic emancipation virtually decided. The Duke of Wellington—the most consistent opponent of it hitherto—declared that the choice lay now between emancipation and civil war; and on the 5th of March 1829 Sir Robert Peel brought in the bill for the removal of Roman Catholic disabilities. O'Connell had gone over to London to claim his seat as a Roman Catholic; but, perhaps, acting on the view of Mr Keating, the assessor, that until he had refused the oaths his election would stand, he resolved not to present himself until the disability which awaited him at the table of the House had first been removed. It is very doubtful whether he was influenced in delaying to appear by an unwillingness to embarrass the ministry. When it became known that the relief bill was not retrospective, and only applied to those who should be elected after its passing, O'Connell, against whom this provision was rather a mean piece of spite, had no further motive for delay, and before the measure had passed appeared to claim the seat. A petition, however, had been presented against his return. Whilst it was under investigation the relief bill passed, and then the committee reported that he was duly elected; but, on presenting himself, the old oaths were tendered, on the ground that the act did not apply to his return. One oath was to the effect that the sacrifice of the mass is idolatrous, the other asserted the king's supremacy. O'Connell refused to take them, and was heard at the bar, but a vote of the house decided against him. He then, on their being tendered again, replied that "one part he knew to be false, and another he did not believe to be true." Accordingly a new writ was ordered to be issued for the county of Clare. O'Connell again presented himself, and was re-elected without opposition.

He had now attained the utmost height of popularity in Ireland, and was almost worshipped by the Roman Catholics. He had indeed performed a great achievement: he had, by the force of a peaceful revolution, overthrown the bigotry of a nation that far out-bigoted even Rome herself, and in whose breast, if not latterly in her market places, have blazed fiercer fires than the Inquisition's. Roman Catholics all over the world were grateful. "Were it only to Ireland," said Lacordaire, "that emancipation has been profitable, where is the man in the Church who has freed at once seven millions of souls? Challenge your recollection, search history from the first and famous edict which granted to the Christians liberty of conscience, and see if there are to be found many such acts, comparable by the extent of their effects with that of Catholic emancipation. Seven millions of souls are now free to serve and love God even to the end of time; and each time that this people, advancing in their existence and their liberty, shall recall to memory the aspect of the man who studied the secret of their ways, they shall ever find inscribed the name of O'Connell, both on the latest pages of their servitude, and on the first of their regeneration."

O'Connell did not at once on re-election take his seat in parliament,

for the session was just at an end. He had scarcely however gained this goal, when, without a moment's rest, he started for the next. He had early admitted that he had "ulterior purposes," and the principal of these was now revealed by the removal of what had stood before it for so many years,—it was Repeal of the Union. He found that the object struggled for so bravely did not seem to make much difference to his countrymen; on the other hand, the forty-shilling freeholders were disfranchised, and their disfranchisement led to their being thinned off, to bring the farms up to the level of the franchise for the sake of the landlord's political influence. O'Connell himself was left at the outer bar when silk gowns fell in a cloud upon his brethren. Practical exclusion was sure to outlast legal exclusion; and it was likely to be followed by a loss of independence in Roman Catholic professional men, which, so far as the country was concerned, would not be compensated for by the sight of a few Roman Catholics seated upon the judicial bench. A great jealousy arose in Ireland against those Roman Catholics who accepted place, and who were supposed to be corrupted by it; and the Roman Catholic who went to parliament, unless in the exceptional case of O'Connell, who was ever pre-eminently the Man of the People, was supposed to deteriorate in Westminster air, and to be more or less wheedled over from loyalty to the popular cause into loyalty to the Queen. The benefit of emancipation was sentimental: grievances remained of a practical nature, which the slight infusion of Catholics into the English legislature could have little effect in determining. The tithes, which were levied with great harshness, were the tribute of a conquered people to the religion of their conquerors, and brought home the perpetuation of Protestant ascendancy to every cabin in the land. Such grievances not being immediately removed by emancipation, it began to be felt immediately that emancipation was a delusion,—that something else was required, and that this something else was not the useless infusion of Catholics into a Protestant parliament, where they must always be a small fraction of the whole, or of Irishmen into an assembly of Englishmen, where they would always be a miserable faction, ridiculed, misunderstood, and regarded as consummate bores, but a separate parliament for Ireland, in which the Roman Catholic Church would be dominant, and Irish interests alone be attended to. Such was the feeling which arose in Ireland on the settlement of the Catholic question, just as the Home Rule agitation has followed the Church Disestablishment and the Land Act. In a memoir of the great Repealer we may be permitted a few sentences on the rationale of Repeal. Every English attempt to ameliorate the condition of Ireland only evokes a new cry from the Irish to be allowed to do it for themselves, and seems to add to the conviction that a home parliament alone can give them what they want. Of course we do not commit ourselves to this opinion. It is very natural that advantages of political changes should be exaggerated by their advocates for the purpose of promoting them; and that after their accomplishment disappointment should follow, and they should be regarded as failures; and that then the blame should be laid upon a foreign legislature, and that its legislation should be regarded with angry contempt; but it by no means follows

that an Irish parliament, if it existed, could really do more. One thing it might do, and that is, make Ireland more reliant upon herself alone, and cease perpetually to look for a new era to dawn upon her from England. This demand for English measures provokes a supply; and twenty years of freedom from English quackery, to forget English expectations, and to be forgotten by English regenerators, would do Ireland more real good than anything ever suggested. It may be easily supposed that a new Irish agitation, immediately after the settlement of the old one, was very displeasing to all parties in England, both Whigs and Tories, and that O'Connell, who immediately began to address meetings in favour of Repeal of the Union, was looked upon as one whose trade was agitation, and who kept a nation disturbed for his own selfish advantage and the ruin of his country. The new scheme was called by one of those bad names which, however unmeaning, always doom to failure,—“the dismemberment of the empire.” As instances of the same we might cite “concurrent endowment,” “fancy franchise,” &c.

In the general election of 1830 O'Connell abandoned Clare, which was taken possession of by one of his lieutenants, Mr Purcell O'Gorman; he himself wresting Waterford from the Beresford interest. The way in which he had been personally treated, and the ungracious condiments with which the Relief Act had been accompanied, excited in his mind the greatest exasperation, and urged him to greater violence than he had ever hitherto risen to. He denounced the ministry of Wellington and Peel; and, in an unwise and reckless letter, advised a run upon gold, as a kind of financial operation of war. After the fall of the Wellington ministry, he entered into different relations with the Whigs on the secession of Stanley and Peel, having previously, however, been hostile to them. Lord Anglesea was viceroy, and received orders to put down O'Connell's association, which was perpetually reviving under new names, after every proclamation for its suppression. Now it was “A Society of Friends of Ireland,” again, “the Anti-Union Association;” then “Volunteers for the Repeal of the Union.” In each case of public meetings they were forbidden and menaced with forcible suppression, and O'Connell with prosecution. After submitting to this course for some time, the Agitator at length became furious and reckless, and resolved to hold a meeting in defiance of the lord-lieutenant's proclamations, which he denied to have the force of law. The consequence was that he was subjected to a prosecution, but the government was satisfied with inducing him to allow judgment to go by default, and did not call him up for sentence. The support of his section was wanting for Reform, and it was not considered expedient to throw him into prison at that time. The marquis of Anglesea had more success in dealing with O'Connell than any other lord-lieutenant.

On the tithe question O'Connell exhorted and encouraged the people to resistance, and violently opposed the grant to the clergy from the Consolidated Fund, which was to be replaced by a government levy of the obnoxious impost. He asserted the determination of the Irish to have done with tithes altogether, or only to pay them for a purpose of which they should participate the advantage. His own proposal anticipated the plan afterwards adopted for disposing of the surplus funds

of the Irish Church, viz., devoting them to relieving the occupiers of land from county cess, and supporting hospitals, lunatic asylums, and infirmaries. He strenuously supported lord John Russell's appropriation clause, which was productive of the secession of a few men of talent and influence headed by Stanley. O'Connell, in ridiculing the secessionists, quoted Canning's lines—

"Adown thy dale, romantic Ashbourne glides  
The Derby Dilly with just *six* insides."

But the violence of their advocate did as much harm to the ministry as the loss of their best men. A conservative reaction set in, and the Appropriation Clause had to be finally abandoned.

In 1834, O'Connell opened the battle of repeal in parliament by an attack upon baron Smith, whom he assailed for introducing anti-union politics into his charges. He did not succeed in obtaining the censure he demanded; although the judge had clearly travelled out of his province and pursued a course calculated to make the people distrust the impartiality of the law, it is generally felt in such cases that the judge must be upheld even in the wrong. On the 23d of April O'Connell formally brought forward the question of Repeal. The debate lasted for four days. He caught on his broad shield the spears of a score of pigmy debaters, and sustained with no unequal return the lightning strokes of a Stanley and a Peel. It was a fine display, but of course abortive. In the House of Lords, the peers, not satisfied with rejecting the motion, voted an address to the king expressive of a firm resolution to maintain "the integrity of the empire." O'Connell had been unwilling to bring the subject before parliament so soon, believing that to do so would only put upon it a stamp of failure, and knowing from experience that such a measure could only be carried over the bar by a tremendous wave of agitated public opinion. He refused until 1834 to bring it to a division, in spite of the taunts of English members, who desired nothing better than an opportunity of stamping upon it; but at last the impatience of his own party urged him on against his own judgment, Feargus O'Connor and the *Freeman's Journal* being clamorous for parliamentary discussion. The result justified O'Connell's judgment; only one English member voted on his side, and the majority against repeal was nearly five hundred.

The municipal Reform Act practically admitted Roman Catholics to a just representation in the corporations to which they had before been admissible but not admitted. Out of 13,000 corporators in Ireland, it was stated by Sir Colman O'Loughlin in 1836, that but 200 members of them were Roman Catholics. We do not refer to this Act for any important part taken in it by O'Connell, but because its first and most striking effect was that he was elected lord mayor of Dublin, an honour of which he was not a little proud, shewing himself off with pardonable but amusing vanity in the scarlet cloak and ponderous gold chain. With O'Connell's greatness there mingled a curious vein of littleness: his vanity as mayor, and the pleasure he derived from the vulgar adulation which was offered to him in this, for him, rather incongruous and absurd capacity, and again, the somewhat offensive affusion with which he did homage to royalty, were instances of this littleness. It must also be said that in the morality of public life O'Connell was somewhat defective: his pro-



posal to compulsorily diminish the national debt in order to relieve the people, at a time of general distress, may serve to illustrate what we mean. Great excuse, however, is to be made for O'Connell's want of political principle; he lived in the Irish democracy from which this kind of stability is quite absent. The association with the vulgar mind, the adulation he received from it, the habits he acquired in pleasing it, all deteriorated O'Connell. As he advanced in life he grew bigoted and narrow-minded, and his speaking lowered in quality, lost in dignity, and became coarse and violent. It is surprising, indeed, that a man at the age of fifty-four, emerging out of seething Irish agitations into the cool clear air of the House of Commons, should have been able to take up such a position as he did. Notwithstanding his faults, he stood amongst the foremost few. He spoke in the face of a consensus of hostility, often amid derisive noises that he once characterised as "beastly bellowings." He had such men as Macaulay, Peel, and Stanley to contend with; but he often soared above the assembly in a strain of power and eloquence that made his enemies cower, and his interrupters hold their breath. His reasoning was masterly, but his invective was coarse and in bad taste. He was less at home in an assembly of gentlemen than in addressing a monster meeting. Even in England and Scotland his power of popular oratory was admitted. In support of radical reform he addressed large meetings in English and Scottish cities, where his name was detested, and yet he never failed to win a triumph for the time. We cannot enter into O'Connell's excursion into English politics. He hoped to serve the cause which he had himself at heart by advocating the principles of the English radical party, who had plenty of brain power, but a deficiency of tongue. He was, with Shiel, the originator of that very strange alliance between the Irish Catholic member and the English Dissenter, and we doubt if any good can ever come of dishonest alliances; but we must proceed with O'Connell's career proper, which was neither "stumping" England, nor yet in the English parliament, but in raising and ruling the elemental forces at home. For several years Repeal was his pillar of cloud; but the way was devious; he was perplexed and undecided: the Whigs professed to be the friends of Ireland, and he did not like to embarrass a friendly administration by pressing upon it such an awkward question, whilst at the same time he could not let it drop. The government made use of O'Connell's influence, as the liberal government used Mr Bright's before he joined the cabinet; it was charged by the opposition with "truckling to O'Connell," while O'Connell himself was accused of "trafficking with the Whigs." He certainly had the disposal of a large portion of the government patronage, and held meetings every week at the Corn Exchange, in which his speech was as regular as the Sunday's sermon, an invariable topic being the necessity of supporting the government. O'Connell well knew that the Melbourne Ministry would only go to a certain length in what he called justice to Ireland; but his policy was to take the composition offered and then sue for the balance. On this understanding with his followers, and the understanding with the government that he retained his independence and was but a benevolent neutral, he continued to keep Lord Melbourne in power against the majority of the English members of the House of Commons and

the great majority of the Peers, and guided the Irish ministry in the disposition of places and offices without accepting one for himself, or demanding a place in the cabinet over which he possessed such power. In 1838 he refused the office of Chief Baron. In due time the Nemesis of governing by O'Connell and Roman Catholic Ireland overtook the Melbourne Ministry. The Irish alliance, like that of Egypt of old, is a broken reed, upon which English liberal governments will always have reason to repent of leaning. O'Connell was a terrible friend to the Whigs. The English people regarded him as the figurehead of "Popery," the representative of a detested race, and the advocate of opposite interests. This was an important element in the cause of the overthrow of the administration of Lord Melbourne. Probably O'Connell saw that "Justice to Ireland," would have its day, and that after it must come the real struggle. For this he kept his irons in the fire. In 1839 he established what he called "the Precursor Society," which showed indeed a considerable decline from the advanced position occupied by his forces years before, but was a prelude to occupying it again. The Society's object was not a native legislature, but nominally it was to make trial whether short of this Irish grievances could be redressed by the Whigs and Radicals—its word was "Justice to Ireland." This cry was meant as the precursor of a new and tremendous agitation for repeal, should justice be denied. All this while, however, the league with government was but a hollow one. O'Connell was used but distrusted; his letters were opened in the post-office and copied, then carefully sealed by means of impressions taken from the seals. Such an expedient as this could only be practised with conspirators and enemies of the State; and the fact of its being systematically adopted with O'Connell, throws a curious light upon the way in which he was regarded by contemporary statesmen under a mask of plausible friendship. In 1841 this curious pact ceased, when Sir Robert Peel became minister. The Whigs were gone; promises, patronage, and endeavours to conciliate ceased; and the Precursor's Association became the Repealer's. For two years, however, this new Association excited no particular notice: more notice would have been excited if no agitation had been going on in Ireland. O'Connell meanwhile was Mayor of Dublin, and resided at the Mansion House, with no little splendour. At an earlier period, when he was in the full tide of practice at the bar, Shiel described the anger that burned in the breasts of Protestants, who saw "his dashing revolutionary equipage, green carriage, green liveries, and turbulent popish steeds, prancing over a Protestant pavement to the terror of Protestant passengers;" but this irritation was excited in a much greater degree by seeing this usurper upon the civic throne, ostentatiously wearing the insignia of power over his fellow citizens—he a Catholic, one of the despised native race, lording it over the Protestant heritage. Probably at no period, not when wielding the whole power of the Roman Catholic priesthood, nor when he wielded the people itself, in the movement for Repeal, was he more hated by Irish Protestants than in this upstart dignity, as the exaggerated homage of the Roman Catholics made it frequently appear. It was in the spring of 1843 that O'Connell announced that the Repeal year had come. He and many other members

of parliament abstained from going over to the English parliament; several of those who did not abstain were called upon by their constituents to resign. O'Connell's first move was in the Corporation of Dublin, where a Petition for Repeal was carried, as it was also, shortly after, in the Corporation of Cork. The petitions of those two great municipalities caused some sensation in England: they were the voice of the chief cities of Ireland, speaking by the lips of the mercantile classes. We may briefly sum up the arguments with which O'Connell supported their adoption; that the Union, in the opinion of priests, was a nullity: that it had been obtained by declared bribery to the amount in money of two millions and a quarter, and was not therefore binding upon the people; that it was also obtained by intimidation, one hundred and twenty-nine thousand soldiers being collected in Ireland as "good lookers-on;" that the petitions against it had shewn the unbribed people to be almost unanimous against it. These were arguments which had spent their force: but there were others more practical. Ruined trade, manufactures destroyed, the money of the country drawn out of it by absenteeism, frauds in taxation justifying Dr Johnson's prophecy of the consequence of a Union, "Sir, we shall rob you;" inadequate representation falling short of Ireland's just proportion by seventy members, and a higher qualification for voters in the poorer country, for the express purpose of weakening popular power. Besides this he argued it upon the ground of nationality, and that five-sixths of the people desired Repeal. If O'Connell had been less in earnest, less bigoted in his desire for a return of the old times, he would have seen the hopelessness of the object for which he was now about to conjure up this tremendous storm. Canning had said that the restoration of the heptarchy might as reasonably be proposed; and Peel, who was from beginning to end O'Connell's bitter personal and political enemy, declared at once that "no influence, no power, no authority which the prerogative of the Crown and the existing laws gave the government, that should not be exercised for the purpose of maintaining the Union." O'Connell's next proceeding was to set in motion the same vast machinery on a greatly extended and perfected scale, by which he had made himself a popular Dictator in the agitation for relief. Most of the Roman Catholic bishops and nearly all the priests were on his side heart and soul: Repeal-wardens were elected in every parish and "O'Connell's pence" rose to a great revenue. Hand in hand with the Repeal agitation under O'Connell went the temperance movement under Father Mathew. Religion, patriotism, morals united in a common cause, and the enthusiasm of the Irish nature was fully kindled. Great meetings were organized in the provinces; to which the people of whole counties flocked together. They were free from all disorder, although composed of excitable and almost wild peasants. O'Connell's police allowed no disorder or drunkenness or even noise. Rude altars were erected in the open air, and mass was celebrated by the priests; and then that imposing figure marshalled the countless multitude; and the great voice, the most powerful of the time, rose over the people, reaching as far as human voice could travel, out towards the boundaries of the multitude, then sinking and wrapping up in the most intense hush its whole concentrated attention. Then

the electric shout rolled after the lightning flash of wit; but most wonderful of all was the audible whisper that he could make travel farther than reach of ordinary men's loudest voices. This whisper he used with inimitable effect; a whisper is the Irishman's vehicle for his choicest drollery, and the laughter which rolled away into the distance told how the hit had received that quick appreciation so characteristic of the people. We cannot refrain from quoting Mr Lecky's graphic description of those important scenes:—

"It would be difficult to conceive a more imposing demonstration of public opinion than was furnished by those vast assemblies which were held in every Catholic county, and attended by almost every adult male. They usually took place on a Sunday morning, in the open air, upon some hillside. At daybreak the mighty throng might be seen, broken into detached groups and kneeling on the greensward round their priests, while the incense rose from a hundred rude altars, and the solemn music of the Mass floated upon the gale, and seemed to add a consecration to the cause. O'Connell stood upon a platform, surrounded by the ecclesiastical dignitaries and by the more distinguished of his followers. Before him that immense assembly was ranged without disorder, or tumult, or difficulty; organised with the most perfect skill and inspired with the most unanimous enthusiasm. There is, perhaps, no more impressive spectacle than such an assembly, pervaded by such a spirit, and moving under the control of a single mind. The silence that prevailed through its whole extent during some portions of his address; the concordant cheer bursting from tens of thousands of voices; the rapid transitions of feeling as the great magician struck alternately each chord of passion, and as the power of sympathy, acting and re-acting by the well-known law, intensified the prevailing feeling, were sufficient to carry away the most callous, and to influence the most prejudiced; the critic, in the contagious enthusiasm, almost forgot his art, and men of very calm and disciplined intellects experienced emotions the most stately eloquence of the senate had failed to produce." In Lord Lytton's poem "St Stephens," there is a powerful description of the scene—

"Once to my sight the giant thus was given,  
Walled by wide air and roofed by boundless heaven;  
Beneath his feet the human ocean lay,  
And wave on wave flowed into space away.  
Methought no clarion could have sent its sound,  
E'en to the centre of the hosts around;  
And, as I thought, rose the sonorous swell  
As from some church tower swings the silvery bell.  
Aloft and clear, from airy tide to tide,  
It glided easy, as a bird may glide,  
To the last verge of that vast audience sent,  
It played with each wild passion as it went;  
Now stirred the uproar, now the murmurs stilled,  
And sobs or laughter answered as it willed.  
Then did I know what spells of infinite choice,  
To rouse or lull has the sweet human voice.  
Then did I learn to seize the sudden clue  
To the grand troublous life antique—to view,  
Under the rock-stand of Demonsthenes,  
Unstable Athens heave her noisy seas."



At these tremendous meetings the good behaviour of the people was perfectly marvellous. They felt for the first time that they had a great leader, and confidence made them calm. O'Connell was an ancient prophet risen again; a Samuel to the people. The mighty gatherings chronicled in the days of that prophet were such as might have been seen on Tara's Hill or at Mullaghmast. We have spoken of the important events of this period at some length in our historical introduction, and cannot here go into farther particulars. It is fair to say that at this time, when the "Young Ireland" party was already in the field, O'Connell was the loyal opponent of sedition and violence. The people were already learning to march to the gatherings in military order, and O'Connell was wont to boast that he had about him the materials of an army as great as both the contending hosts at Waterloo. "But take heed," he said on one of these occasions, "not to misconceive me. Is it by force or violence, bloodshed or turbulence, that I shall achieve this victory, dear above all earthly considerations to my heart? No, perish the thought for ever! I will do it by legal, peaceable, and constitutional means alone—by the electricity of public opinion, by the moral combination of good men, and by the enrolment of four millions of Repealers. I am a disciple of that sect of politicians who believe that the greatest of all sublunary blessings is too dearly purchased at the expense of a single drop of human blood." But, notwithstanding such peaceable language, it was felt in England that if this mighty movement meant anything, the unyielding attitude of Sir Robert Peel, who said that though the whole Irish people united to demand it, he would never grant repeal of the union, and its own gigantic impetus must necessarily result in civil war. Accordingly, notice was given of a new "Arms Bill" for Ireland, which may be summed up as an Act for disarming the people. Other preparations were also made to meet a possible insurrection; the military forces in Ireland were increased, ships of war patrolled the coasts, barracks were strengthened and fortified. This shows that there really was an apprehension of what might result from the steadfast resistance determined by the minority to the demand of Ireland. O'Connell was deprived of the commission of the peace, and his open adherents in the magistracy were similarly dismissed. But the obvious intention of coercion which the words and acts of the ministers evinced was met by as stern a spirit by O'Connell. Alluding at Mallow to a cabinet council which had just been held, at which it was reported this policy was under consideration, he spoke thus:—

"They spent Thursday in consulting whether they would deprive us of our rights, and I know not what the result of that council may be; but this I know, there was not an Irishman in the council. I may be told the Duke of Wellington was there. Who calls him an Irishman? If a tiger's cub was dropped in a fold, would it be a lamb? But perhaps I am wrong in anticipating; perhaps I am mistaken in warning you. But is there reason to caution you? The council sat for an entire day, and even then did not conclude its deliberations, but adjourned till next day, while the business of the country was allowed to stand over. What had they to deliberate about? The repealers were peaceable, loyal, and attached—affectionately attached—to the Queen, and determined to stand between her and her enemies. If they assailed us

to-morrow, and that we conquered them—as conquer them we will one day—the first use of the victory which we would make would be to place the sceptre in the hands of her who has ever shown us favour, and whose conduct has been full of sympathy and emotion for our sufferings. Suppose, then, for a moment, that England found the Act of Union to operate not for her benefit; if, instead of decreasing her debt, it added to her taxation and liabilities, and made her burden more onerous, and if she felt herself entitled to call for a repeal of that Act, I ask Peel and Wellington, and let them deny it if they dare (and if they did not, they would be the scorn and by-word of the world), would she not have a right to call for a repeal of that Act? And what are Irishmen that they should be denied the same privilege? Have we not the ordinary courage of Englishmen? Are we to be trampled under foot? Oh, they shall never trample me at least. I was wrong: they may trample me under foot—I say they may trample me—but it will be my dead body they will trample on, not the living man.” The government increased its preparations; the meetings increased in immensity. At Tara, in Meath, the seat of the ancient kings of Leinster, the numbers amounted to four hundred thousand men. It was here that St Patrick preached to and converted the king and chiefs, and, as an illustration of the Holy Trinity, gave a national emblem to Ireland. The other, and the greatest meeting was held at Mullaghmast, also in the province of Leinster, and not far from Dublin. It was the scene of a perfidious massacre of Irish chieftains, who were invited to a banquet by the English Lords of the Pale. In the height of the wassail, troops which had silently been drawn round the hall burst in and murdered the Irish guests. It was here that the mockery was gone through of crowning O’Connell with a cap made on the model of the ancient Irish crown—O’Connell announced that he had arranged his scheme for the Irish parliament, and that the union was virtually annulled. The next meeting-place was on the verge of the capital itself, and also chosen with reference to its ancient associations. It was Clontarf, the scene of King Brian Boru’s victory over the Danes. This choice of sites, the bestowal of the mock crown, this language of a dictator, decided the government that the moment had come to meet and break the rolling billow, Agitation. And if it was impossible to yield, undoubtedly the moment had come. To a casual considerer it must appear strange that O’Connell failed to see what was coming, and the inevitability of his mighty bubble bursting, and that the larger he blew it, the nearer was the catastrophe. It has been doubted if a man of his enlightenment could have been honest and earnest in his pursuit, and if it was not merely following up a nefarious trade. If that, however, had been the case, he would never have allowed the agitation to reach to such a height; he would have kept it at that low fever, for which it is so hard to find a remedy. He had come unscathed through so many encounters with the government, and been successful for such a number of years in his evasions of the law, and had even found those who had procured his condemnation afraid to punish, that we need not be surprised at his belief in his own impunity and the powerlessness of any government to crush him. He fully believed that those vast multitudes whose roar

must have been in his ears like the hum of the ocean in a shell, would have risen up in a resistless tide, if the government were really rash enough to cast him into prison; and when actually imprisoned he made the most earnest appeals to the people not to do that of which they showed not the remotest intention, viz., making an insurrection to release him; this illustrates the belief he himself had entertained. The way in which Catholic Emancipation had been won and yielded made it not unnatural for him to expect history to repeat itself in this instance. He had the same men to deal with—Wellington and Peel. They had put the concession of emancipation on the ground that the alternative was civil war; much more apparently was that the alternative now. He forgot, however, that Peel had yielded not in reality to avert civil war, but he had used the threat of it to make his followers yield, and to justify his own conversion. For thirty years emancipation had been in truth beyond argument: it was a question upon which men spoke against time; it was as inevitable it should be carried ultimately as it was impossible that repeal could ever be carried. But, although all this be true, it was not for the leader of a forlorn hope to see the desperation of the attack; the man who joins in the thick of fight can never be a good general. O'Connell always fought in the ranks, and although he knew what he wanted, and had consistent aims, he never saw far before him.

It was upon a Saturday night preceding the monster meeting arranged to take place at Clontarf, about an hour before dusk, that a proclamation was posted forbidding the meeting, and calling upon all whom it might concern to aid in preventing it. It was plain that government was resolved to disperse it by force, and O'Connell and the Committee of the Repeal Association made great efforts during the evening and night to turn the people back. In this they were successful; but the government was not going to stop at preventing this solitary meeting, but had laid its plans to bruise the head, and so paralyse the limbs of the Association—O'Connell and eight of his associates were immediately held to bail, to take their trial for "conspiracy and other misdemeanours." Possibly the government might not have gone on with the prosecution had the menace of it availed. O'Connell, however, scoffed at it; the approach of winter made it impossible to prolong the open-air meetings, but a great room, christened Conciliation Hall, was opened with much ceremony for the meetings of the agitators, and several of the Protestant gentry, including Mr Smith O'Brien, gave in their adhesion upon this occasion. The government consequently determined to proceed; and packed the jury to procure a conviction. This was done in the most unblushing manner. After eight months, from the holding to bail to the verdict, O'Connell and the others were found guilty. In the interval before being called up for judgment a great debate rose upon the trials. The whig party assailed the government for the unfairness with which they had been conducted, and the manipulation of the jury. On the other side, O'Connell was denounced in unmeasured terms as a "hoary criminal" and an "arch agitator." The most striking situation in the debate was when, after listening to its course for a week, O'Connell himself rose to defend himself, and arraign England, its government and history. With respect to the

prosecution, he said:—"I protest, first, against the nature of that prosecution. Forty-three public meetings were held, and every one of them was admitted to be legal; not one was impeached as being against the law, and every one of them making on the calendar of crime a cipher; but by multiplying ciphers, you come, by a species of legal witchcraft, to make it a number that shall be fatal. One meeting is legal, another meeting is legal, a third is the same, and three legal meetings, you say, make one illegal meeting. The people of Ireland understand that you may oppress them, but not laugh at them." That sir, is my first objection. The second is, the striking out all catholics from the jury panel. There is no doubt of the fact. Eleven catholics were upon the jury panel, and every one of them was struck out."

O'Connell returned to Ireland, and in May was called up to receive judgment, and sentenced to two year's imprisonment and a fine. From the moment that the gates of Richmond Prison closed upon him, his ancient power was at an end. The superstitious belief in his invincibility was gone: he was seen not, after all, to possess a charmed life. The idol was dragged down from its pedestal and treated ignominiously: it did not consume its desecrators, but submitted to this process like any other log of wood. O'Connell and his friends lived in the handsomest style in prison, and had levees of visitors; he wrote a weekly letter to Conciliation Hall: he especially entreated the people to keep the peace, and assured them that repeal was never so certain. But belief was gone, though affection grew warmer, and was evidenced by an immense increase of the Repeal Rent. Meanwhile an appeal was carried to the House of Lords, and the sentence reversed on the ground of the packing of the jury. This was the decision of Lords Denman, Cottenham, and Campbell; Lords Lyndhurst and Brougham were for rejecting the appeal. O'Connell was released and carried back to his house by the people in triumphal procession, and as he passed what was once the House of Parliament, in College Green, he rose up in the carriage and pointed to it silently amid tremendous cheering. But his career was over. He had found out himself that he could do nothing; he had overturned the catholic restrictions, because they were built on sand, but the Union was founded on a rock; in vain against it were his waves and storm of agitation. Hence, from his own want of belief in the success of the struggle, even more than from the shaken belief of the people in him, the agitation flagged. O'Connell spoke upon lesser topics, and little of repeal. He reproved the physical force party that was now arising, the "rash young men" of the *Nation* newspaper, as he called them; he denounced American slavery and deigned to criticise matters which were under the consideration of the British parliament. But with his hopes of the great cause, all seemed to fail; softening of the brain set in; he had nearly reached now the allotted age of man, and he had lived a life of great strain and excitement. Three months' imprisonment had shattered his remaining energies, and given a shock to his sanguine temperament, which it could not at his age recover. The shadow of the famine which was approaching, appalled him. Once again he stood in the English house, and in a speech free from all his faults—simple, strong, and pathetic—he warned and implored the aid of parliament. His voice was almost in-



audible, and the change in his appearance excited universal sympathy. The Queen sent to ask after him, and many old enemies came to inquire at his door. Mr. Lecky says :—"Another visit he received in those dark days which he must have valued still more—three of the Oxford converts to Rome came to assure him that it was his career which had first attracted their attention to the theology of his Church." He was recommended to travel in the south of Europe, and he formed a strong desire to visit Rome before his death. He did not succeed in reaching it, his death taking place at Genoa, May 15, 1847; but he bid them take his heart to the Eternal City, where it was placed in the church of St Agatha; his body he bequeathed to Ireland, and it rests in the cemetery of Glasnevin. Many years after a monument, in the shape of an Irish round tower, was erected over his grave. An eloquent monk delivered an *éloge* upon that occasion, in which he justly ascribed to O'Connell the changes, such as the disestablishment of Protestantism, which they had lived to behold in Ireland. "The edifice of religious freedom was to be crowned when the wise architect who had laid its foundations and built up the walls was in his grave. Let us hope that his dying eyes were cheered, and the burden of his last hours lightened, by the sight of the perfect grandeur of his work—that, like the prophet lawgiver, he beheld 'all the land;' that he saw it with his eyes, though he did not pass over to it; and that it was given to him to 'salute from afar off' the brightness of the day which he was never to enjoy. The dream of his life is being realised to-day. He had ever sighed to be able to extend to his Protestant fellow-countrymen the hand of perfect friendship, which only exists where there is perfect equality, and to enter with them into the compact of the true peace which is founded in justice. Time, which buries in utter oblivion so many names and so many memories, will exalt him in his work. The day has already dawned, and is ripening to its perfect noon, when Irishmen of every creed will remember O'Connell, and celebrate him as the common friend and the greatest benefactor of their country. What man is there, even of those whom our age has called great, whose name, so many years after his death, could summon so many loving hearts around his tomb? We are to-day the representatives not only of a nation but of a race. '*Quenam regio in terris nostri non plena laboris?*' where is the land that has not seen the face of our people and heard their voice? and wherever, even to the ends of the earth, an Irishman is found to-day, his spirit and his sympathies are here."

For our own part, in this necessarily most imperfect memoir of the great Agitator, we have endeavoured to keep to an attitude of impartiality; but in spite of early impressions, and the superstitious hatred which we can well remember to have felt, in childhood, to the name with which the land was still ringing, we must now fully admit the grandeur of his life as of a rugged mountain which we cursed in crossing it, but gaze back upon with admiration.

## THE RIGHT HON. RICHARD LALOR SHEIL.

BORN A.D. 1793.—DIED A.D. 1851.

O'CONNELL and Sheil were the two shining lights of the Roman Catholic association, who, by their genius guided it through the dark and almost hopeless years that succeeded the great peace to the consummation of 1829. In many respects they were the strongest contrasts to each other: in eloquence, the gifts of voice and presence, and powerful action in which O'Connell excelled, were just those in which Sheil fell short; his voice, always shrill, sometimes rose to a shriek; his person was insignificant, and his action though forcible, eccentric. But while his great compeer was eloquent on the inspiration of the moment, and bombastic and turgid when he prepared his speeches, Sheil never spoke without elaborate preparation, and then with a perfection of style and ornament, which were only marred by the former being too rhythmical and the latter too abundant. His arguments were well arrayed and condensed, but lost in force by the extreme beauty of form. At the same time his manner was earnest, and preparation did not in his case spoil the fire of the orator. O'Connell was an untameable politician; he was scarcely fit for the responsibility, and incapable of bearing patiently the trammels of office, while Sheil settled down, when the bar of 1829 had been crossed, into a regular soldier of the whigs, and finally an official. His polished speaking, though rather flowery, suited the House of Commons, when it had lost the inclination to laugh at his strange voice and action: his amiable nature endeared him; and what was considered and resented as impracticability in "The Liberator," did not exclude Sheil from being an accepted member of the party. Having in the previous memoir gone at some length into the history of the Roman Catholic cause, in connexion with one of its popular agitators, we are relieved from the necessity of going over the same ground, assuming that which is in common, and showing the man in relation to the cause, rather than the cause in relation to the man. Sheil's father was a successful merchant, and returned from Cadiz where he had made a large fortune, to purchase the beautiful estate of Bellevue, on the river Suir, opposite, but a little below Waterford. Here the subject of our memoir was born, and spent his childhood amid scenery well calculated to foster a poet. He has left on record the effect upon his mind of that charming river scene and the beautiful places that lay along its banks, Faithlegg, Snowhill, and where two other rivers join their waters to the Suir, the ruins of the Franciscan Abbey of Dunbrody. His father intended him for the Roman Catholic priesthood, and with a view to this, he was sent to a school in Kensington under a French Abbé, from this school he was removed to Stoneyhurst, and, the idea of making him a priest being given up, he was entered at Trinity College, Dublin, which, with a liberality far in advance of her English sisters, had opened her studies and honours, though not her foundations, to students of the illegitimate persuasion. Here he obtained several prizes, and became a distinguished member of

the Historical Society, which more than anything else has contributed to give Ireland a reputation for eloquence. At this stage he was thus described by a friend:—"His powers as an orator were yet very imperfect. His fancy was very vivid, and his speeches more remarkable for their display of imagination than of argument. His voice was weak and squeaking, and his manner very theatrical." Of these defects he was very sensible himself; and this consciousness produced that precipitancy of utterance which made his first essays, like those of Curran, to a great extent unsuccessful. In the mimic debates of the Society, he joined with an interest as great as if they had decided the most important practical issues. The same ferocity with which at school he rushed at the foot-ball when it crossed his path, in his ungainly eagerness, leaving it doubtful with which limb he would assail it, showed in the intellectual game of the debating club. One day, in crossing the Channel, his extreme anxiety and impatience at the slow progress was remarked by his fellow-passengers: as night fell, he became quite distraught, and on arriving at a late hour in Dublin, he abandoned his baggage to make a rush for the College gates before closing, in order to be in time to vote in a great party division which was to take place on that evening in the Society. His natural defects of voice and delivery, though they could not be removed, were greatly softened by diligent practice in this admirable training-school under the rough criticism of his equals; and from the habit of public speaking, his voice derived considerable strength. His vacations he spent at Bellevue; and on one of these occasions, at a fancy ball in Waterford, he gave an indication of his dramatic turn, by acting with great success the part of a French quack doctor. Such pleasant relaxations were soon, however, closed to him; his father had embarked a part of his fortune in a mercantile firm in Dublin, under the Anonymous Partnership Act, but he was misled by a dangerous smattering of legal knowledge, into supposing that under this Act his liability was limited. This turned out not to be the case; the firm failed, and he was completely ruined, and obliged to sell Bellevue to the family at present in possession of it for £28,000. He was barely left enough to complete the education of his sons, of whom he had, besides Richard, three younger. Of his eldest son he formed the brightest hopes; in the society of his father's house he had been regarded as a miracle; under the disguise of questions upon which he wished to be informed, he delighted to perplex his father's guests, to expose the shallowness of their answers, and bewilder them with facts and theories, which, without necessarily being true or sound, were far too recondite for country gentlemen and rustic priests. But at a very early age his talent displayed itself to better judges, and their opinions still further raised his father's expectations. At the early age of eighteen he made his first speech in public. It was at a meeting of the Catholic Association, and the subject under consideration was the despatch of a deputation to London. The course that Sheil rose to recommend, was that the deputation should consist of the Earl of Fingal and men of rank, whose position would make it impossible to overlook them. When he first rose, his youth,—although he looked far beyond his age—the carelessness of his dress, and a certain wildness of eye and manner, created an unfavourable impression, and the unknown youth

was heard for a few sentences with impatience. His manner, too, was abrupt, and the defect of his voice new to the audience; but some flash of light caught their attention, some slight applause assisted the speaker, who gathered firmness as he proceeded, and at the conclusion of his address he was loudly cheered. Some weeks later, he spoke at another meeting, at the Fishamble Street Theatre, and was much complimented: some good judges who were present confidently predicted that he would yet shine in parliament, and twenty years after their prophecy was fulfilled. He took his B.A. degree in 1811, and in the same year entered at Lincoln's Inn, where he studied for two years. Whilst there, he kept up his speaking in a debating club called the Eccentrics, of which Canning had once been a member. In this cooler atmosphere, his style was probably calmed and chastened. It would have been impossible for his ruined father to meet the expense of his residence in London; but fortunately he had an uncle living there who received him as an inmate of his house; and although his uncle's sour temper sometimes gave rise to disagreements, one of which very nearly put an end to the kindness on which the young man's future depended, they were always made up again, and "Uncle Dick's" continued to be his shelter until 1813. In that year he returned to Dublin, having determined upon the Irish bar; and he immediately took a leading part in the deliberations of the Catholic Association as a supporter of the vetoists and an opponent of O'Connell. To this line he adhered so long as the securities were in question, and in consequence attached to the aristocratic party and in opposition to the people. For this reason he did not win any of the popularity which was monopolised by O'Connell. At a decisive meeting where the two were pitted against each other, Sheil made an eloquent speech, but with such an audience he had no chance against the great Irish tribune. The boy of course went down before the man. O'Connell treated him as a youth, praised the "splendid talents" of his young friend, but "would proceed to unravel the flimsy web of sophistry which was hid beneath the tinsel glare of meretricious ornament." In 1814 Sheil was called to the bar, but he did not make the splendid burst into practice which his father expected. Indeed, although retained to make a great speech upon certain important trials, he never attained to the best practice, owing as well to his want of law as to his possessing a style of eloquence which did not answer with judges and attorneys. The splendid and ornamented style calculated to impose upon the understanding, displeases the sharp legal mind, which looks for arguments, and does not like to feel that it is being played upon. He rose to the dignity of a Queen's Counsel, when the disability was removed; but this honour was in recognition of his acknowledged genius, rather than of his rank in the profession. But though his father's expectations of him were destined to disappointment in the path in which he had destined his son to succeed, other and more intoxicating success soon came in another direction, which the old man was rather incensed at, as believing it partly accounted for the failure to win professional character. He composed a play entitled "Adelaide, or the Emigrants," in which he was so fortunate as to obtain the celebrated Miss O'Neil as the heroine of the plot. It appeared at



Crow Street Theatre, and was advertised as being composed by "a young gentleman of this city." Miss O'Neil's acting made it a decided success in Dublin; but it was not equally successful in London when produced at Covent Garden. An amusing account is given by a gentleman, who was called one Sunday, when the Sheils were at mass, into the house of an opposite neighbour to witness a decided case of insanity. Sheil had seized the moment for his dramatic labours, when his father, who was violently opposed to them, was out of the way. "The young dramatist alternately sat at a small table, where he wrote with astonishing rapidity, and then starting up, approached a full length mirror, clasped his hands, and seemed to recite with passionate earnestness what he had been composing." To those who had known him in the University, it was questionable what his genius would turn to; whether it would make him an orator or a poet. In this he resembled Grattan, whose acquaintance he had just formed. Grattan had been just such a problem at the same age. He resembled him, too, in another curious peculiarity—that of soliloquising. Once during his courtship with Miss O'Halloran, he was overheard holding the following discussion with himself in a passage of the Four Courts:—"Well, truly, admiration is akin to love; but is the kindred close enough with me? I think it is; but let me see; if she were now to die would it mar my future happiness? I am sure it would. Yes, I am in love, there's no denying it." The conclusion thus arrived at resulted in his marriage with Miss O'Halloran, who was niece to the Master of the Rolls. It was naturally supposed that the connexion would have been of advantage to the young barrister; but when Sir William MacMahon was asked to obtain a vacant commissionership for his nephew, he refused upon the ground of his dangerous democratic principles. Shiel used to say that he objected to the mortification of its being thought that he had gained nothing from his connexion with the Master; this would be an entire mistake, as he had once got a breakfast. In 1816 he began his play, "The Apostate," the plot of which was founded on the persecution of the Moors in Spain by the Inquisition. In thus holding up to odium Catholic persecution of paganism, he had probably the political aim of making persecution for religious conviction abominable. This play was produced at Covent Garden in 1817 with a powerful cast, including Mr Macready, Mr Young, Mr Charles Kemble, and Miss O'Neill. With such actors the failure of the piece could only have been due to its own weakness; it proved, however, a great success. Shiel was naturally in great anxiety as to the verdict, and after watching two acts, during which it was still in the balance, he retired to the green room, which he paced, listening for the distant sounds of the house. At length he asked one of the attendants, "Can you tell me, sir, when they generally begin to hiss tragedy in this house?" Presently, however, the thunders of applause which denoted a great dramatic ovation reached his ears, and as he returned to the house to receive the plaudits of the audience, successful life opened its bright vista before him. The copyright of this play was sold to Mr Murray for £300, and he received £400 from the managers. The next important event in his life was also a literary success, though not so complete as the previous one. It was the production, in 1817, of the tragedy of "Bellamira," or the Fall

of Tunis, founded upon an expedition in the reign of Charles V. against the Moors of Africa for the recovery of Christian prisoners. It was less profitable to the author than his play of the preceding year. A remarkable incident in the Dublin election of 1818 breaks again into politics the literary course of his career, and for a moment transforms the dramatic poet back into the orator. Grattan—whom he looked upon with the reverence of a disciple, somewhat, as we have observed, resembling him in character, and we may add in the defects and at the same time popular success of his eloquence—had been returned for Dublin in concert with Mr Shaw (the Recorder). The mob, with the mercurial fickleness which characterises the coal porters and “roughs” of the Dublin streets, had turned against the aged patriot, and was ready to stone the statesman, because he was not the furious tribune they would have had him to be. It had been the custom of his supporters to chair him through the town after each return for the city, and this was unfortunately attempted now, when he was under the gloomiest cloud of popular displeasure. The consequence was that the rabble nearly turned a somewhat ludicrous ovation, in which the greyheaded father of the country was swayed over the heads of the crowd through the concourse of the streets, into a martyrdom which, had it happened, would have been a remarkable incident in history. Many of Grattan’s friends were struck by the stone arguments which are so popular in Ireland, and, if the law permitted, would decide every dispute, and he himself was compelled to desert his chair or car of triumph and take shelter in a house. Here he was hotly besieged, all the windows broken and the door battered; when Shiel, learning the shame that was being perpetrated, with great courage made his way through the crowd, and reaching the balcony of a neighbouring house began to address the furious crowd. His appearance was then unknown, but the high-pitched voice and the curious figure attracted a strong attention; mob rage is always ready to turn into fun, and the tone of the orator promised sport. The effort was of course purely extempore, and it was not helped by the indignation the event that was passing before his eyes must have caused; for he spoke upon other topics, and the people listened; and there went forth a lightning over the crowd such as no other speaker of the day could produce, though O’Connell’s eloquence could smite it like a wind. He drew away the people from Grattan’s refuge, and in a short time effectually raised the siege. There could not have been a more complete triumph of mind over matter, which is essentially the orator’s triumph.

In the same year it had been suggested to him to make an adaptation of Shirley’s play, “The Traitor,” but on submitting the result to competent judges, he was advised to throw Shirley overboard and make an original drama of the new matter which he had introduced. The most striking portion of this was the statue scene in the third act, and it formed the nucleus of the most popular of all Shiel’s dramas, “Evadne, or the Statue.” There was in it scarcely any of Shirley’s material, and Shiel was fully entitled to the credit of original authorship, although he acknowledged his indebtedness by advertising it as “altered from Rivers and Shirley.” This drama was much praised by Leigh Hunt and other high critics; the author was acknowledged to be a complete master of the art of dramatic effect and powerful situation, and also to have great skill

in adapting his characters to the great actors and actresses of the day. He excelled in the mechanical art of play writing; but more must be said to do him justice. He was not a great poet, scarcely a poet at all; but he possessed amply sufficient of the poetic power and not too much, which is more fatal than the want of it, to make a successful dramatist. His poetical power was the poetry of prose, and was the orator's gift rather than the poet's, but from the continuous use of it in a poetic department, it became almost too florid for its own proper function by the time it was returned to public speaking.

The copyright of "Evadne," which appeared in 1819, was sold to Mr Murray for a hundred pounds, and fetched from the theatre £400,—a fair balance, it may be said, of its literary and dramatic merits. About this time he was successful in getting his two brothers into Indian appointments. The elder, Colonel Justin Shiel, was a distinguished public servant, and was appointed ambassador to Persia in 1838. The younger distinguished himself in some military actions. A third brother, Edward, entered upon a mercantile career and made a large fortune in Africa. Meanwhile he was at work upon a new drama entitled "the Huguenot," of which he had justly formed the highest hopes. The principal character was designed for Macready; Margaret for Miss O'Neil. But an unexpected incident prevented its production for the time. Miss O'Neil was removed from the stage by her marriage with Sir William Beecher, and no substitute could be found; for, as Shiel said, "there was only one Miss O'Neil." In consequence of this "Montoni" preceded it in representation, though subsequent in composition. It was not successful; but with the usual chequered fortune of playwrights, the next, which was a joint composition, was received with unbounded applause. His collaborateur in this was John Banim, who had already gained fame as a novelist, and had published some poetry tinged with genius. The young man submitted to Shiel a drama entitled "Damon and Pythias," and the result was that Shiel re-wrote a considerable portion, and introduced the dramatic strength which it was his peculiar gift to supply, and the combination and kindling of this with Banim's poetic thought produced a drama which fully deserved the enthusiastic reception received by it at Covent Garden. A misunderstanding between the authors, probably arising out of some want of clearness in the arrangement as to the distribution of proceeds, separated the two authors for many years, and prevented the admirable work that might have been anticipated from a continued partnership.

In 1821 Shiel plunged once more into the vortex of the Catholic Association. He wrote a severe criticism upon O'Connell, which drew forth a still severer retort. The Agitator drew in an amusing array the different inconsistent metaphors under which he was described by his critic, and made very good play with Shiel's flowery style. The onslaught of humour upon poetry is intensely disagreeable, and is felt by the poet to be unfair; it is like fighting Sir Geoffrey Hudson with a squirt. Shiel had thoughts of calling out his profane opponent, but on the advice of his friends let him alone, and returned to his drama. The interchange between these two thunder clouds was not therefore followed by the minor but more dangerous fire; and that it left no

grudge in Shiel's mind, was shown by the flattering portrait which he shortly afterwards drew of O'Connell in his sketches of the Irish bar. O'Connell was not a little anxious as to the treatment he might receive from his quondam opponent, and when he had read the sketch, which was one of those contributed to the *New Monthly Magazine*, he expressed his relief to a friend by saying they might now do what they liked with him. Such gratifying power belongs to the pen.

Shiel's next play, the "Fatal Dowry," appeared at Drury Lane, having been refused by the committee of Covent Garden. It had a great success on the first night, but this was spoiled by the illness of Macready after one representation. The play was founded upon Massinger, and is a very able adaptation of fine materials.

Shiel had the misfortune to lose his wife by a fever, shortly after the long wished-for birth of their first child, in 1822. This must have fulfilled the prediction of his soliloquy for a time; but a wound to the affections is like a hollow in water, it soon closes up; life depressed for a moment quickly returns to its level. Another blow followed of a different kind. The "Huguenot," of which he had formed such high expectations, was produced at Covent Garden with the drawback which afflicts all dramatists, in this day of many theatres and few great actors, an inadequate staff. Miss Kelly stood for Miss O'Niel; but this was by no means the worst. Macready did his best to have the play well got up at a short notice, for Shiel pressed it on impatiently; but one of the actors, a Mr. Abbott, who played in an important part, was insufficiently prepared, and made the rest nervous by his blunders and uncertainty. Another actor fell ill, and his place had to be taken by one unacquainted with the part. Some laughable impromptus made the house risible, and fatally effected the performance. The result of the first night prevented the sterling merits of the drama from being recognised at succeeding representations, and inflicted such a disappointment upon its author that he resolved to leave the ups and downs of dramatic life and soar into the real world.

The question of Veto and securities was now in one sense gone by. It no longer separated any section from O'Connell, whose wrath towards Shiel was no doubt quite appeased by the portrait which the latter had drawn of him in the *New Monthly*. A consultation of leading Roman Catholics of the hitherto disjointed body was held in Dublin, at which it was resolved to present a petition for inquiry into the administration of the laws in Ireland. Their unjust administering was the great clog upon O'Connell's not unconstitutional agitation, and upon all free action of the people. The law in Ireland intimidated, in a political sense, not only the criminal, but the freeman. The petition was drawn up by Shiel, and in the Lower House a great debate rose on Mr. Brougham's motion, that it should be referred to the grand committee on courts of justice. Peel, who made a fierce speech against the motion, excited a laugh by saying he would resist any reference of a petition, which he characterised as being "more in the declamatory style of a condemned tragedy than of a grave representation to the legislature." It was a time when the Roman Catholic agitators were obliged to use very guarded speech, and Shiel particularly was obliged to put a check upon the language he



had learned in tragedy, because he stood in the most exposed position, and there were persons in the highest station, for a reason that will presently be stated, in the highest degree anxious to strike him.

We have alluded in the previous memoir to the prosecution of O'Connell in 1824, for his praises of Bolivar, the South American revolutionary leader, whom he styled "the Catholic deliverer of a Catholic people." After the bill had been thrown out by the grand jury, Sheil made an eloquent speech upon the conduct of Plunket, the attorney-general, whose aid in the prosecution had been given very unwillingly. In the following year he was one of the deputation which proceeded to London claiming to be heard at the bar of the House of Commons against Mr. Goulburn's bill for suppressing political associations. Sheil, in common with the other members of the deputation, was much entertained by the Whig nobility. The following is a description of him by one who often met him in society:—"Though full of humour, there was nothing vulgar or boisterous in his mirth, and he carefully abstained from those personalities in which some of his countrymen are too apt to indulge. He was altogether free from religious bigotry, and pursued emancipation rather as a civil right than as a religious question. There was a playful archness about him quite consistent with simplicity and shrewdness. He was intensely social at this period, loved the pleasures of the table, and enjoyed the vintages of France. The impression that he made on me was, that he was a thoroughly amiable and good fellow; a little peevish occasionally in manner, but a man of sterling qualities and excellent heart." A meeting was convened at Freemasons' Tavern, with a view of giving the great Irishmen an opportunity of being heard in London. It was presided over by the duke of Norfolk, and there was a very large attendance, principally of English Roman Catholics, who were curious to listen to those men of whom they had heard so much. O'Connell spoke for three hours with great success, but when Sheil's turn came at the conclusion of this long address there was a considerable defluxion of the audience, and this, combined with the laxity of attention that follows the tenseness of an audience long upon the strain, put Sheil to the greatest disadvantage. His weak voice could not command attention in the confusion, and his speech gave but little idea of his real powers. Before his departure from London he was summoned to give evidence before a committee to inquire into the state of Ireland, and was called to account for a loose statement which he had made in one of his speeches. He had ascribed to government the question of an inferior clerk, as to the religion of a man who had greatly distinguished himself in a shipwreck, and was recommended for reward, as a proof of its bigotry and unfairness. Sheil justified it as "a rhetorical artifice;" but he had much better have acknowledged that it was one of those loose accusations into which men, whose object is to arouse popular indignation, are sometimes led by mistake.

After Sir Francis Burdett's resolutions had been carried in the House of Commons and thrown out by the Lords, with the famous declaration of the duke of York, that he would never consent to their passing, "so help him, God," Sheil took a very prominent part in the indignation which the event and speech caused in Ireland. He considered that some response should be made—that the glove thus thrown down should

be taken up by the people. His suggestions were that petitions to parliament should be adopted by every parish in Ireland on the same day, that a sectarian census should be taken to bring out the fact that 6,000,000 stood outside the pale of the constitution, and that simultaneous meetings should be held in every part of the island to show the strength and unanimity of the body. He thus commented at a meeting held shortly after his return, on the declaration of the duke of York:—"Shall Ireland be reconciled? was the question. 'Never!' said the heir to the British empire. He did not say, 'not yet,' he said, 'never'—and that is a disastrous word from the son and brother of a king who stands upon the steps of the throne (he spoke, indeed, as if he had reached the seat of royalty itself), and from that high station he pronounced a malediction, an anathema, against the Irish people; he gave as a motto for Ireland that dreadful inscription which Dante has told us was written upon the gates of hell, and bade us 'hope no more.' . . . We are willing to bind ourselves to the prosecution of this great cause by the most solemn adjurations that can bind us to God and man, and if heaven is to be invoked by princes for our degradation, let us offer up a counter invocation—let us bind ourselves to our country by a bond as holy as a prince's word, and swear that we shall at last be free by the dignity of human nature, so help us, God."

This was not his only rejoinder to the speech of the heir-apparent, but it would have been well for him if it had been. Meanwhile the Catholic Association was dissolved, and the New Catholic Association had taken the place of the old one. Shiel was now in the closest and most cordial relation with O'Connell, whom he rivalled in the number of his speeches, and far surpassed in the variety; for his flow of vigorous thought, of fresh language, and of felicitous illustration, which must have been veritable pearls before swine, to common audiences in Ireland, seemed to be perfectly inexhaustible. His speeches were nearly always finished off with perfection of the most careful written composition. This arose as well from his training as a writer, as from special preparation for each address. We have already, however, given an instance (Mr. Grattan's rescue) to shew that he was master of extempore eloquence, although he usually prepared; another proof was recorded by a friend who accompanied him to a public meeting at Wexford, where he proposed making his speech turn on the rebellion of 1798. His friend remonstrated, on the ground of the terrible memories still surviving in that part of the country; and although Shiel insisted that it was impossible to speak anything but what he had prepared, the speech which he actually made was entirely different, and one of the most felicitous he ever made. It is often the case that a speaker who has habituated himself to elaborate preparation, and has scarcely confidence to venture upon his legs except with this which shackles while it supports, could, if forced to throw it aside, command a far greater and more agreeable success. Shiel about this time escaped from the uproar of public meetings to pay a short visit to France. He there made the acquaintance of the Abbé Genoude, editor of *L'Etoile*, and interested the Abbé so much by his brilliant and epigrammatic account of Ireland, that he was asked to write a series of papers upon it. He was glad of the opportunity of thus attracting the influence of foreign public opinion to bear upon England, and the

command of French which he had acquired in early boyhood at Kensington school made him perfectly competent to the task. His articles attracted great attention, and were copied into many English journals. England is extremely sensitive of foreign opinion, while quite impervious to the opinion of her Irish dependency. The author of the articles in *L'Etoile* was unknown, and Sheil would have been wise both on his own account and for the effect they were intended to produce, to preserve his *incognito* to the end. This interval, which he employed in writing French, was one of relaxed agitation during the expiring hours of the parliament, in which it was of no use to press the Catholic cause. Great distress prevailed in England, and there were disturbances in many places, which some thought presented a good opportunity for Ireland to make her demands; but Sheil counselled a generous delay.

In the Waterford election he was counsel for Villiers Stewart, and animated with his own enthusiasm the great effort to overthrow the Beresford influence,—an effort which was successful chiefly through his ardent exertions. But in inducing the electors to assert their freedom, he brought down upon numbers of them the vengeance of their landlords, who might be said to hold their lives and fortunes completely at their mercy, and used their power as ruthlessly as if they had been grand Turks bow-stringing their slaves. All through the autumn Sheil exerted himself with all the ardour and amiability of his nature, to repair the ruin he had brought upon the forty-shilling freeholders of the county of Waterford, by collecting funds for their relief. His business was also becoming considerable as an advocate at the *Nisi Prius* bar. It may naturally be supposed that he had won great popularity in Ireland; he was asked to many public entertainments in recognition of his merits. At a public dinner in Westmeath he used some expressions about the duke of York, making an ungenerous allusion to his declining health, for which he was much blamed, but excused himself on the ground that he spoke under the inspiration of "the vintages of France," for which his Whig acquaintance had noticed his partiality. This admission by no means softened the fierce resentment which his speech caused in certain high quarters, nor slaked the thirst for vengeance which it had excited. On the duke's death, he afterwards endeavoured to make the *amende*, by pronouncing a complimentary *éloge* upon him at a public meeting, but neither did this lessen the desire that he should be overtaken with punishment. He was unconscious of this intense watch that was being kept upon him for an indiscretion of speech, and he continued his harangues as usual without any unwonted check upon his language. The duke de Montebello and some distinguished Frenchmen on a visit to Ireland were present at a meeting where Sheil delivered one of those speeches, and M. Duvergier d'Hauranne, who was one of the party, has left a striking description of the speaker, in which he compares him to Mirabeau, and says that for the hour during which he spoke, the man and his audience were one, and the effects which he produced from time to time were like violent electric shocks. The long-wished-for handle for a prosecution was at length supposed to have been found in a speech upon Wolfe Tone's memoirs, in which he seemed to commit himself to an approval of the actions and sentiments of the rebel. Plunket doubted that the speech

afforded a good ground, and of course was most unwilling to prosecute, but was pressed on by a powerful influence. However, by a rash admission of his authorship of the letters in *L'Etoile*, he roused the anger of his enemies to a still greater pitch, and afforded fresh material to their vengeance. The publisher of the speech on Wolfe Tone was ordered to give up the manuscript, and Sheil authorised him to do so, to save him from a prosecution. Sheil was now bound over to appear at the next Commission, and an effort was made to obtain an admission of the speech and acknowledgment of his authorship of the letters; but to this he was counselled to refuse his consent. Staunton the publisher was in consequence included in the prosecution. The approaching trial was viewed by Sheil without apprehension, and he eagerly expressed a hope that Plunket himself might prosecute, in order that he might "cut down Goliath with his own sword," by bringing up against him passages from his own speeches which were equally strong. This might not have availed; but as it happened, the inflexible fidelity of a reporter stood him in good stead. When the trial at length came on, the right was claimed for the defendant of deferring his plea to the indictment, which occupied forty sheets of parchment. The Solicitor-general offered to accede this act of grace, but it was claimed of right by O'Connell, and the claim was allowed by the court. Meanwhile lord Liverpool died; Mr. Canning succeeded him, and a *nolle prosequi* was entered. There was now the greatest hope and expectation abroad from the advent of this new minister. Sheil proposed that the meetings of the Association should be discontinued, that the Halyon might hatch its supposed egg in perfect calm. This truce was agreed to for six weeks. Public dinners were given to Sheil at Wexford, Waterford, Clonmel, and Drogheda. At the latter place, multitudes of people met him when he was miles away from the town and conducted him into it in triumph. A strong desire was manifested by the people, wherever he went, to make up to him for the late prosecution with which he had been threatened; and the demonstrations of affection and respect were greater than ever. An accident which might have been attended with fatal consequences but for the assistance of a noted Orangeman, obliged him for some time to retire from public life to nurse a broken leg. In this period of confinement he wrote his admirable sketch of Blackburn in the *New Monthly*. By the time he was able to return to public life, Canning was dead, and the hopes which depended upon him gone. The majority of the Wellington cabinet, in the proportion of seven to four, were said to be unfavourable to emancipation; but it was left an open question between the two sections. This was just the circumstance that made a renewal of the agitation a necessity. Yet Sheil opposed it as premature. The resolution, however, was carried to recommence it; but the Duke of Wellington having assented to the Test Act, was supposed to be loosening, and believing that in a short time he would come away from the immovable stand he had hitherto held against the Catholic claims, O'Connell was now in favour of holding back, but Sheil insisted on proceeding, as the Duke had made no promise of concession. The question was accordingly brought on, and carried by six; but this was not a majority to alarm the House of Lords. In a short time the



cabinet was purged of all the emancipators, and apparently the prospects of the Catholics were never so hopeless. But Mr. Huskisson shrewdly remarked, that now the Duke and Peel had cleared the cabinet of the interlopers, they would go about settling the question as a kind of family arrangement. And this prophecy was soon to be verified. The duke of Wellington expressed a wish in the House of Lords that the question should be finally settled, but he coupled it with the condition that the agitation should cease; a condition which Sheil, who had at one time been the friend of giving time, would not for an instant accept. The maxim on which his conduct rested was a wise one: it was to press your enemies when they are inclined to give way, but to let your friends alone when they are doing their best to help you. The agitation was in reality necessary to the duke as an apology to his friends and an argument to the king. With the changes in the cabinet came the startling event of the Clare election. We must not, however, re-enter upon this ground further than to follow Sheil's footsteps over it. He was the great influence in bringing about the contest. O'Connell would have let the new minister go unopposed. Sheil shrieked against it; and when the canvassing of the county of Clare began, he was the hero of the fight. In remote Irish half village towns, he made speeches that would have been thought equal to the best in St. Stephens. A very cultivated man, brother of Gerald Griffin the poet, thus describes one of these rustic displays:—"The speech of Mr. Sheil, which Gerald congratulates himself on having heard, was one of the most brilliant essays in public speaking ever witnessed. I had reason to know it was quite extempore. . . . Presently he appeared on the balcony; and, notwithstanding some disadvantages in voice and manner, delivered a speech of greater effect and power than any I ever remember. The streets were thronged to suffocation—the occasion was a great one—he seemed to feel fully its importance, and his language ascended with it. What he said on this occasion was never reported, nor do I think that any report would do it complete justice. I never saw anything like Gerald's rapture about it. He seemed to listen all through with such an eager attention, as if he feared lest a single word or sentiment should escape him. The moment Mr Sheil had retired from the window, he turned to a friend with his eyes sparkling and his whole countenance kindled with the utmost enthusiasm, and said, 'Well, did you ever in your life hear anything to equal that?'" After the Clare election, Goulburn's Act of 1825 having expired, the Catholic Association returned to its old shape, and that wonderful agitation commenced which attracted the attention of Europe. The viceroy was alarmed lest some spark should set fire to such a huge and at present harmless mass of inflammable material, and sought an interview with Sheil at his house in Leinster Street to discuss how this danger might be averted. Sheil was also of opinion, that the marching of multitudes with green boughs and in military array, though unarmed, was dangerous, and might lead to what no man could stop. He made a powerful speech counselling the Catholics to refrain from those menacing demonstrations which were rousing the Protestants into a counter organisation, while the minister folded his arms and watched the combatants approaching each other, and the

cabinet was like a box at a theatre, from which its inmates calmly watched the business of blood.

Again, in another speech he compared the conduct of the factions, forgetting in their animosity the danger to the country, to hosts contending so fiercely upon a battle-field, that they were not conscious of an earthquake by which the field of battle was shaken. The truth is, that Sheil knew very well that the outbreak, which an accident might produce, would only show the impotence of their hosts, and give an opportunity for stamping out the agitation. To keep their demonstrations within bounds was an almost impossible task, and all was lost if they failed. It was therefore considered wise to forbid them: and the Catholic Association passed a resolution to that effect on the 25th of September 1828, and this, which was followed by an admonitory address from O'Connell, was implicitly obeyed by the people. But as at the approach of justice, and at the voice of their shepherds, the people of Ireland sunk into an expectant tranquillity, upon the opposite shore the people of England began to arouse to the cry of "No Popery," and an agitation was commenced, which threatened to become as violent as that which had just subsided in Ireland. A great meeting was arranged to take place as a central event on Penenden Heath in Kent. Sheil, without allowing his plan to be known, determined to appear before this meeting, and make an appeal to its generosity and fair play. This intention he carried out, and although he could not obtain a hearing, he persevered in delivering his speech, and it was printed in full with the others. It was a very judicious and masterly address, and turned the meeting at Penenden Heath to a very different account from that intended by the promoters. In this speech, he first denied that he came to argue upon the mysteries of religion. "I do not know," he said, "whether there are many here by whom I am regarded as an idolater, because I conscientiously adhere to the faith of your forefathers, and profess the doctrine in which I was born and bred, but if I am so accounted by you, you ought not to inflict a civil deprivation upon the accident of the cradle. You ought not to punish me for that for which I am not in reality to blame. If you do, you will make the misfortune of the Catholic the fault of the Protestant, and by inflicting a wrong on my religion, cast a discredit upon your own. I am not the worst subject of my king, and the worst citizen of my country, because I concur in the belief of the great majority of the Christian world." He then reminded the Kentish yeomen, that the Catholic Alfred was the author of their common law—that it was the mitred Langton, with his uplifted crozier, confronted King John at Runnemeade, and extorted the great charter—and by other memories of English history, argued that the Catholic faith was not incompatible with freedom. "False, I repeat it with all the vehemence of indignant asseveration, utterly false, is the charge usually preferred against the religion which Englishmen have laden with penalties, and have marked with degradation. I can bear with any charge but this—to any other charge I can listen with endurance: tell me that I prostrate myself before a sculptured marble; tell me that to a canvas, glowing with all the imagery of Heaven, I bend my knee; tell me that my faith is my perdition; and, as you traverse the churchyard, in which

your fathers are buried, pronounce upon those who have lain there for many hundred years a fearful and appalling sentence; yes, call what I regard as the truth, not only an error, but a sin to which mercy shall not be extended; all this I will bear, to all this I will submit—nay, at all this I will smile—but do not tell me that I am in heart and creed a slave: that my countrymen cannot brook. . . . I have heard it said that the Catholic religion was a persecuting religion. It was, and so was every other religion that was ever invested with authority. How easily I could retort on you the charge of persecution—remind you that the early reformers, who set up a claim to liberty of conscience for themselves, did not indulge others in a similar luxury—tell you that Calvin, having obtained a theological masterdom at Geneva, offered up the screams of Servetus to the God of mercy and love; that even your own Cranmer, who was himself a martyr, had first inflicted what he afterwards suffered, and that this father of your church, whose hand was indeed a guilty one, had, even in the reign of Edward VI. accelerated the progress of heretics to immortality, and sent them through fire to heaven.” He then reminded them of the agreement of all who, for the preceding fifty years, had conducted the business of their great empire. “Burke, the foe to revolution; Fox, the asserter of popular right; Pitt, the prop of prerogative, concurred. With reference to this great question, their minds met in a deep confluence. See to what a conclusion you must arrive, when you denounce the advocates of emancipation. Your anathema will take in one-half of Westminster Abbey: and is not the very dust into which the tongues and hearts of Pitt, and Burke, and Fox have mouldered better than the living hearts and tongues of those who have survived them? If you were to try the question by the authorities of the dead, and by those voices which may be said to issue from the grave, how would you decide? If, instead of counting votes in St Stephens, you were to count the tombs in the Mausoleum beside it, how would the division of the great departed stand? There would be a majority of sepulchres inscribed with immortal names upon our side.” Sheil received a great ovation on his return to Ireland, for having appeared with such resolution and success in the enemies’ country as the Catholic champion. The influence which he had now acquired, and which in council exceeded that of O’Connell himself, was turned to most valuable account, in carrying out the private advice of Lord Anglesea, who had become a complete convert to the cause, to suspend the Catholic Association. At two meetings at Sheil’s house, the question of suspension or dissolution was discussed. Sheil and the moderates at length carried the day, that it should be dissolved; as it was now obvious that there could be no withdrawal on the part of the ministry. It was little known how nearly, even at the last moment, Lord Eldon and the opponents of the Catholics had brought about another disappointment. Fortunately the Duke of Wellington showed himself firmer than Pitt. When the relief bill was carried, Sheil was enabled to give more attention to his profession, and he had now acquired as much business as he could properly undertake. The release from his Herculean toils in the Catholic cause was to him a most grateful one, and he showed himself to be one of those, who, having adopted agitation as a necessity, lay it down with satisfac-

tion, and are not easily entrapped into it for the remainder of their lives. "You cannot conceive," he said, "what a relief it is to be freed from the necessity of attending aggregate meetings." He had now a new ambition, that of entering parliament: it appeared as if he was still to be excluded from the inner bar, in common with several other distinguished Roman Catholic lawyers, who were entitled to silk gowns; this made Sheil anxious to append to his name one pair of letters, if not the other. If so happened, however, that he had an honourable opportunity of proving that, for him at least, the distinction of Protestant and Catholic was no longer kept up in the business of this life; he was sent a retainer to act as counsel, together with O'Connell, for Lord George Beresford, in his attempt to regain the family seat in the county. O'Connell drew back, afraid of losing his popularity; but Sheil refused to be dictated to in his professional engagement. By his zeal, and the confidence reposed in him by the Roman Catholic voters, the seat was won by Lord George, and it was probable that this service caused his past sins to be overlooked; for in 1830 he received the silk gown, in company with several more inoffensive members of the same persuasion, O'Connell being still excluded. In this year he formed a second marriage with the widow of Mr. Power of Gurteen, in the county of Waterford—a family said to have a good claim to the earldom of Tyrone, and which in the present generation has reverted to the uncorrupted name, de la Poer. Mrs. Power, who was the daughter of Mr. Lalor of Crenagh in the county of Tipperary, inherited a considerable fortune, and Mr. Sheil adopted the name of Lalor. Being now in an independent position, he determined to carry out his design of entering parliament, and stood for, but was defeated in Louth. He was fortunate enough, however, in the hour of defeat, to find a sudden and unexpected opening in Meath, by the retirement of Mr. Lawless from the contest about to take place; but the people were angry and distrustful at the withdrawal of one champion, and strange to say, he was advised not to stand, and did not. Probably the same circumstance that gained his silk gown, for the present excluded him from parliament. The interval between his defeat in Louth, and the opening by which in the following year he entered parliament, was spent in study; but shortly after the formation of the whig government, he was offered one of the Marquis of Anglesea's seats, Milborne Port, an offer which he accepted as the full reward of his labours in the Catholic cause. Sheil's first speech in parliament was on the second reading of the Reform Bill; he spoke after several nights' debate, but the house listened attentively, and upon some of the best judges he produced a very favourable impression indeed. Professor Wilson, in the *Noctes Ambrosianæ*, makes Tickler speak of him as "a very clever one, though not so effective as Macaulay," but he was doubtful if Sheil was not "the abler man of the two." He concludes, after a description of his defective appearance, redeemed by his splendid eyes, that it was impossible to listen, "without giving oneself up to the feeling that you were in the presence of a man of genius." Sheil was by no means satisfied by his comparative success, and was determined yet to do the "wonders" predicted of him, by carefully studying the taste of the House, and unlearning the taste of a Dublin aggregate meeting. His preparation of language and ideas



was careful, but he learned the knack of touching up his prepared speeches with happy extempore allusions to other speakers, which gave a freshness to the whole. He knew the value of facts choice and in season, and apparently gathered by the speaker himself, and he had the courage, which in men without good heads and strong wings would certainly be fatal, to make bold flights.

The rejection of the Reform Bill was followed by a dissolution in 1831. Sheil was urged to stand for Louth again, but twice declined, and determined to continue the member for Milborne Port. Finally he was induced to consent, having first secured his return for Lord Anglesea's borough, being assured that the latter would be disfranchised, and desiring the greater independence of a county representative. This time he was successful, and being returned for both places, elected to sit for Louth. Shortly after the commencement of the session he made a speech in favour of a poor-law for Ireland, in which he soared in one of his old circles of eloquence, and found that it was not only tolerated, but produced a great effect in the tame and prosaic assembly. It cannot be said that the creation of a system of poor-laws was popular in Ireland. Mendicancy was a great profession, for which there was high degree of genius in that country; the Irish beggar had a gift, and to be shut up in the workhouse was a terrible punishment for the crime of poverty. Then the alms-giving class was debarred from a pleasure and a duty, whilst the selfish and miserly were compelled against their will to rob the good of their monopoly of giving. The peculiar class, called in Ireland's later history "the patriots," had also reasons for denouncing the poor-law. Their opposition to it arose from the control it would give the government of the great mass of the poor, and the encouragement there would be to the eviction of the peasantry in the refuges thus provided—an objection extremely absurd, considering that the poor-rates fell upon the landlord. These various objections are easily met in the following passage from Sheil's speech; but they delayed the passage of the measure for several years, until it became an irresistible necessity. Describing the horrors of the wholesale evictions, upon which the poor-law of 1838 really imposed a heavy fine, Mr. Sheil said:—"Some lay down in ditches to die: others raised hovels for the purposes of casual mendicancy on the brow of some hill in the public way; some retreated to excavations in bogs, and hewed themselves out a habitation in a morass; but the greater part found their way into the obscure alleys and lanes of ruinous districts in large cities. They swarmed in human clusters in garrets and in vaults; if you looked up you saw famine glaring from a sashless window in the attic of some ruined deserted house; if you looked down, you beheld it in a cellar, seated upon its bed of short and pestilential straw. There was no exaggeration in this. The committee report that the ejected tenantry suffered affliction which it was not in the power of language to describe. But this was called a state of transition. Call it famine, pestilence, death, and men would tremble; but call it transition, envelop it in the technical vocabulary of fiscal science, and a directory of economists will speak of it with the tranquillity with which a French philosopher would have expatiated on the process of regeneration which his country was undergoing through the sanguinary

celerity of the guillotine. But it was only justice to add, that at length men's hearts and eyes were opening. It was admitted that something must be done to alleviate those dreadful sufferings; science had relented, political economy had been touched, algebra was giving way to pity, and theorists and speculators were no longer heard amidst the cries of a nation that stretched forth its hands for bread." This strong picture was literally true, and supplied an answer to all the objections to a poor-law of selfishness, sentiment, or patriotism. Another great question, however, preliminary to all others, took up for a time the whole parliamentary field.

After the passage of the English Reform Bill, Sheil took a prominent part in opposing Stanley's plan for turning the tithes into a rent-charge, which he called providing them a sepulchre from which to arise in immortal resuscitation, and he was, with O'Connell, the principal stay of the Irish Reform Bill. His advice was, that the bill for Ireland should be identical with that for England. He argued that the Union had connected the two countries by a Siamese knot, which made it necessary for them to thrive or perish together; and that Irish nominees could not be suffered to mingle with English representatives of the people (which was rather a *petitio principii*); and that if Irish boroughs remained in the market when it had been cleared of English they would acquire a double value,—another doubtful argument. Notwithstanding all that could be urged, the Irish Reform Bill was but an abortive imitation, restricting instead of enlarging the liberties of the people. Sheil proposed several amendments in committee, but did not gain anything by them except increased reputation by his clever advocacy and condensed argument, sparkling with rhetoric.

For a long time Sheil had held aloof from the new agitation in Ireland. He had given up his popularity, and retired from the profession of an agitator. But as years rolled on, he saw the promises of emancipation unfulfilled. He saw the fact surviving the law of exclusion. In the repeal agitation he saw a lever by which to work on a government that had thought itself most magnanimous in keeping the promise to the ear, he therefore at length joined the Repeal Association, and was received back into the stormy arena with the applause due to an old favourite. He alluded to his part in the struggle in which they had been successful; his name had been linked with it, and he now linked it with this other cause. "To what a magnitude has repeal dilated—to what a vast stature has this question arisen! A few months have been sufficient for its rapid and gigantic growth. O'Connell on one side of the cradle, and Stanley on the other, have rocked the offspring of the wrongs of Ireland, and cradled it into strength,—the one by appealing to the instinct of the nation, the other by offering outrage to its pride—the one by applying all the useful stimulants which could be used with its generous feelings, the other by a series of the most exasperating offences that could have been designed,—they have, without any community of purpose, but by impulses in an opposite direction, excited a feeling of which, at the approaching elections, a most formidable demonstration will be afforded." After dwelling upon the provocations of the government, he asked, "How is a reformed parliament to remedy these evils? Not surely by persevering in the

same fatal policy, which must inevitably be the case unless the House of Commons shall be scared by the fear of repeal into the adoption of a juster mode of dealing towards Ireland. It is befitting that we should in the reformed parliament take a high and imperious attitude, and to press repeal, if with no other purpose than with a view to its avoidance, by extending justice to our country." This was the way in which Sheil viewed repeal of the Union; it were perhaps necessary that he should become orthodox in view of the approaching general election, but his orthodoxy was of the most moderate kind. He considered repeal a good cudgel; but he had too entirely adopted an English public career to have any real preference for College Green over Westminster.

The general election came on, and he was returned for the county of Tipperary at a considerable expense, owing to the menace of an opposition which was not offered. The first opportunity that Sheil had of taking up his new position with regard to repeal among the band of repealers that Ireland had sent over under the command of O'Connell, was in the debate on the Address. There had been a hint of more repressive measures for Ireland, and O'Connell having denounced the threat as one in reality against political liberty, Macaulay turned the argument upon the Union, and Sheil rose to reply. He took the line he had indicated in the association; he would not enter into controversy upon the Union itself: injustice had given rise to it,—the long experience of the vanity of looking for redress. Let redress be given, and the demand would fade away; but should it not be given, no argument would satisfy the people of Ireland that to look to anything short of repeal would not be folly. With not a Catholic judge on the bench, not a Catholic stipendiary magistrate, they were mocked by the imposture of equal laws which produced such unequal results. This was the general sense of his speech; the bill which was shortly after introduced added to its force. The bill for the suppression of disturbances was passed over the heads of a majority of the Irish members, and treated Ireland as a recently conquered country; giving the lord-lieutenant power over any portion or portions of it to deprive of rights and liberties, the inhabitants being subject to trial and punishment by court-martial. Sheil took an active part in the other debates of the session. On the bill for reducing the number of Irish bishops from twenty-two to twelve, a clause was struck out, to conciliate the opposition, which had been taken from his suggestion as to the disposal of surplus funds. His speech upon this was the most argumentative he ever delivered, free from all ornament, and distinguished by that dry and sterile height of masterly argument, from which quotation is impossible. This speech bore fruits in the following year. The motion at the time was negatived by 177 to 86. Sheil had now established such a position in parliament, and his talents and habits of thought had so much accommodated themselves to its ways, that he consulted with his friends whether he should not retire from his practice at the bar, and give himself up entirely to a political career. Receiving no decided advice—as indeed such decisions must depend mainly on personal inclination—he paid occasional visits to the courts for a year or two, and then having broken himself off his bar associations, wholly laid aside the gown.

We must now briefly relate the circumstances of a very painful ordeal, from which Shiel issued with perfectly untarnished honour, but not without, in the progress of the affair, the most intense pain to himself and others. A Mr. Mathew Hill made a public statement at Hull that an Irish member, who had voted against the late Coercion Bill at all its stages, had privately gone to ministers and told them not to bate one jot of the bill, though it was a necessity to him to oppose it in public; for that if it were not carried, "it would be impossible for any man to live in Ireland." Public attention was called to this speech by the *Examiner*; and after several members had applied to Mr. Hill whether he alluded to them, and had been answered in the negative, Mr. O'Connell brought it before the House, pronouncing his conviction that the story was a fabrication, but calling upon lord Althorp to say—first, whether such a charge had emanated from him or any other member of the cabinet; and, secondly, whether it was true that any Irish member had ever addressed to him or other of the ministers the private instigation in question. To the first of these questions lord Althorp returned an answer in the negative. "With respect to the second, he was prepared to say that, so far as he was aware, no Irish member, who voted and spoke against the Coercion Bill, had made such statement to a *Cabinet* minister. His position was, he felt, peculiar, but he thought he should not act a manly part if he were to answer the question short. He had good reason to believe that some Irish members (certainly more than one), who voted and spoke with considerable violence against the bill, did in private conversation use different language." Of course this confirmation of the assertion made by Mr. Hill gave rise to a scene of great excitement. Nothing rouses the attention of the House so much as a personal question, and this was one, considering the persons whose honour was engaged in it, of more than ordinary interest. Mr. O'Connell and Mr. Finn demanded if they were the persons inculpated, to which lord Althorp replied in the negative; but when Shiel put the same question, the reply, "the honourable gentleman is one," caused a great sensation. Shiel, after a short silence, rose and said, with dignity and a firm voice, "Having heard the statement which the noble lord has just made to the House, I beg, on the other hand, to declare in the face of my country, and if I may do so without irreverence, in the presence of my God, that if any individual has said to the noble lord or others that I gave any approbation of the Coercion Bill in private, he has belied me by a gross and scandalous calumny; but as the noble lord has put the statement on his own responsibility, I shall say no more." The consequence would probably have been a hostile meeting, and the Speaker was called on to interfere; and as neither party would give a satisfactory assurance, they were both ordered into custody; but on pledging themselves to keep the peace, they were released. After some consultation, it was resolved to move for a committee of inquiry, and O'Connell gave notice of the motion for the 10th of February. Of course the interval was a most agonising one to Shiel; he could not fail to perceive a cold shade gathering upon the world, the pained fidelity of his friends, the withdrawing of acquaintances, and the steady non-recognition of those whose acquaintance was doubtful. His intense sensitiveness and



anxiety of temperament made him imagine much that was never intended. Supposing that he was being left alone, he isolated himself; and it is impossible to say what would have been the effect of the despondency, caused by this indefinite charge, so hard to be refuted,—false as he knew, but apparently supported by witnesses,—had not a friend, whom he accused of an intention to cut him in the Athenæum club, seen the state into which he was sinking, and with the assistance of another friend, kept him up during several days, and restored the tone of his mind to manliness and self-possession. The 10th of February came, and O'Connell having put in a copy of the *Examiner*, Sheil rose and said that, before his friend proceeded, he would for a moment ask the indulgence of the House. He had no intention of interfering in the debate, but wished to repeat, "with the simple strenuousness of one whose conscience was pure, that he was innocent of the charge imputed to him." He demanded an investigation, and threw himself upon the candour and justice of the House. O'Connell then moved that the paragraph should be referred to the committee of privileges. This was opposed by Sir Francis Burdett, who moved as an amendment, that the House proceed to the order of the day. Expressing his full belief in Sheil's denial of the imputation, which, after all, had dwindled away and shrunk like a phantom from their grasp, he thought that it might befall any one to speak in private, and vote on a question differently, maturer consideration often accounting for the inconsistency; and he did not think that gleanings from private intercourse should be made the subject of public charges among gentlemen. The matter had gone too far, however, and become too formal to be dismissed so easily, and after a considerable debate, the committee of inquiry was carried by 192 against 54. A most impartial and weighty committee was then selected, including Lord Granville Somerset, Sir Francis Burdett, Mr. Grote, Mr. Shaw Le Fevre, and Sir Robert Peel. Mr. Grote was elected chairman, and afterwards drew up the report. Mr. Hill was first called, and whilst refusing to give up the name of his informant, asserted his ability to prove the statement by other witnesses. Two of them were called, and failed to substantiate anything against Sheil; and at the conclusion of their evidence, Sir Robert Peel said he thought it clear that there was an end of the case. Upon this, Mr. Hill declared "that he felt convinced that this charge against Mr. Sheil, of having directly or indirectly communicated to the government any private opinions in opposition to those which he expressed in the House of Commons, had no foundation; in short, that such charge was not only incapable of formal proof, but was, in his present and sincere belief, completely unfounded; that he had originally been induced to make mention of it in a hasty and unpremeditated speech, under a firm persuasion that he had received it on undeniable evidence; but that now, being satisfied of the mistake into which he had fallen, and convinced that the charge was wholly untrue, he came forward to express his deep and unfeigned sorrow for having ever contributed to give it circulation." The report of the committee completely exonerated Sheil; it concluded—"The committee have no hesitation in declaring their deliberate conviction, that the innocence of Mr. Sheil, in respect of the whole matter of complaint referred to in their investi-

gation, is entire and unquestionable. Your committee feel bound at the same time to express their full confidence in Mr. Hill's declaration, that the statement impeaching Mr. Sheil's character, was made by him at Hull under a sincere, though mistaken, persuasion of its accuracy. They derive this confidence as well from the tone of generous regret which characterised his communication at the close of their proceedings, as from the candid admission, and the evident anxiety to avoid all exaggeration and misstatements, which they have observed throughout his testimony, as he delivered it in their presence." On the reading of the report, loud cries arose for lord Althorp, who expressed his satisfaction at the result, and said that his informants, whose veracity was undoubted, might have been mistaken, and that if Mr. Sheil would come forward and say it was untrue, he would be ready to apologise. Sheil had already said so, and it had been established by an inquiry, so that he need not have made his apology conditional. As the exonerated member arose, there was applause from all sides of the house, and then deep silence, as he spoke in a voice which he found it difficult to command—

"I stood before this House a few nights ago with no other sustinment than the consciousness of my own innocence; I now stand before it with that innocence announced in the clearest and most unequivocal language by a committee composed of men themselves above all suspicion to the world. I do feel my heart swell within me this instant, and almost impede my utterance. Justice has been done me: it has been done not only by my judges, but by my accuser. He preferred his charges in the House, he reiterated them before the committee, and having gone into the evidence and failed, he then offered me the only reparation in his power, and with a frankness of contrition which mitigates the wrong he did me, he came forward and announced that, not only could he not prove his charge, but that he believed it to be utterly destitute of foundation. The gentleman having made this acknowledgment, then turned and addressing himself to me, in the tone and with the aspect of deep emotion, asked me to forgive him. I had, I own, much to forgive; he had wounded me to my heart's core; he had injured me and given agony to mine; he had committed havoc of the feelings of those who are dearer to me than my life, and to whom my honour is more precious than my existence. He had furnished to the secretary for the colonies the occasion of addressing me in the language and with the gesture of solemn admonition, and of pointing out the results of inquiry in the tone of prophetic warning. I had indeed much to forgive, but I forgive him. We have heard much denunciations from ministers respecting the disclosures of private discourse; and yet the Chancellor of the Exchequer, representative of the government, who entertained such a horror of a practice detested by all honourable men, is the very first to make reference to the babble of clubs, to declare his belief of information to which he gratuitously attaches an injurious importance, and to announce that he will not give up his author, but would take upon himself the responsibility. This defiance having been given, the House interposed: no resource was left me but to protest that I never expressed myself in favour of the Coercion Bill, and to demand inquiry. I insisted on it. The secretary

for the colonies, out of regard no doubt for my reputation, pointed out the probable results. His suggestions had no other effect than to confirm me in my purpose, and to make me call more loudly for trial; that trial has proceeded, my private conversation at a club-house has been given in evidence, and the committee have declared me innocent of every charge which has been preferred against me. Did I shrink from the ordeal? Did I resort to chicane? Did I make my honour a matter of casuistry and special pleading? No, sir; I invited, I demanded investigation; and my private conversation at the Athenæum club having been detailed—a conversation after dinner never recollected even by the narrator for eight months—the accuser declared that his charge was totally destitute of foundation, and the committee at once resolved on my unqualified acquittal. One of the informants of the noble lord was produced—why were they not all brought forward? My accusers were welcome to have got together every loose phrase, every casual and giddy expression, uttered in the moments of thoughtlessness and exhilaration; they were welcome to have selected and collected every sentence uttered by me in convivial gatherings, and to have raked and gathered the sweepings of club-houses, in order to have made up a mass of solid testimony, and to have cast into the balance against me; they were welcome to have put me through an ordeal, such as not one of the ministers themselves could encounter. Which of you all would dare to stand the test? Which of you all would have the veil of his privacy rent to pieces, and all his thoughts uttered in the familiarity of common life divulged? But they were welcome to have got together all his whisperers and eaves-droppers of all their clubs against me; I should have defied them. I was prepared with proof to be given by the most intimate and confidential friends, the men with whom I have lived on terms of familiarity and of trust for upwards of twenty years, the companions of my early life who know me as I do myself, and to whom my thoughts and feelings are almost as well known as their own. I should have been prepared with their evidence, and have established that, whenever the Coercion Bill was glanced at, I condemned it in terms of unmitigated detestation. I denounced it as a violation of every one of those principles of liberty of which the Whigs were once the devoted, but not unalterable champions. I did not once, but one hundred times, express my horror of the atrocities perpetrated in parts of the north of Ireland. I did say, that to put ruffianism down, something ought to be done; I refer to the suggestions made by the committee which sat in 1832, in the Queen's county, and which was composed of men of all parties; but never, I repeat with emphasis, into which heart and soul are thrown, never did I express myself favourable to a bill which I reprobated in this House, which I denounced elsewhere in terms of equally vehement censure; and if, in place of standing here, I were lying on my death-bed, and about to appear in the presence of my God, I should not dread the utterance of these words, if they were to be my last, to appear before him."

The policy of non-interference in the affairs of the continent was followed by the effacement of Poland, and the virtual disseverment of Egypt. It was supposed that nothing could move England from this magnanimous position, and the emperor of Russia acted accordingly.

Turkey was left at his mercy, and he took advantage of that country's position to make himself master of all its rights. Turkey had sought the disinterested aid of England in vain, and had been thrown back into the arms of Nicholas and his subtle ambassador count Orloff, who, having stripped, promised to defend it. Mr. Sheil moved for copies of the treaties in a speech which showed that his mind was not merely possessed of one chamber, but that he could, besides being the representative of Irish wrongs, speak with the same command and eloquence upon European affairs. His speech is too long and connected to make any quotation from it; and as it was not a subject which needed adornment, there are no peculiarly sparkling passages which would be worth selection. He was supported by a first-class diplomatist who has lately passed away, Sir Henry Bulwer; and although lord Palmerston replied with his usual judiciousness, Sir Robert Peel said that Sheil's remained "an unanswered speech." After events proved it to be unanswerable; but the ministers put the denial of papers upon the ground of confidence, and the motion was negatived. We cannot follow Mr. Sheil through all his political life in parliament, which would extend this memoir to a disproportionate length. The action of the king in calling in the Tories on the elevation of lord Althorp to the Upper House, after the numerous modifications that the Whig ministry had undergone, led to a dissolution and general election, in which Sheil kept his seat for Tipperary. The new House met, and Sheil had shortly the honour of leading a successful attack upon the appointment of lord Londonderry as ambassador to Russia, a post to which, in respect of abilities and the views he had recently expressed, he was considered extremely unfit. In the great debate on lord John Russell's motion for appropriating the surplus revenues of the Irish Church establishment, Sheil made a telling speech; ministers were left in a minority, and after two other divisions, by which it was emphasised, Sir Robert Peel resigned, and lord Melbourne returned to office. Under the new ministry, the union was formed between Irish and English radicals, upon which we have remarked elsewhere. Religious equality and the extension of municipal reform formed the basis of it; and at a meeting held at the house of lord Lichfield, Sheil expressed a hope that the alliance might be cordial and compact; and this phrase being distorted, gave rise to the appellation of the "Lichfield-house compact," which was frequently used as a taunt in the following years. Shiel was the principal author and fosterer of this alliance, and there was nothing dishonest in its inception. He was himself shut out from office by his unfortunate duke of York's speech, spoken under the influence of "the vintages of France;" but as a leader of the section, upon the support of which the Melbourne ministry depended, and as an orator acknowledged to stand in the first rank, and as a man of fortune, and one acceptable in society, with the back-ground glow of an old literary fame, he had everything to compensate for exclusion from the labours of state, in the highest political consideration and a considerable exercise of power. He now became a regular party man; he entirely threw aside the character of a political Ishmael, which had never been congenial, but had been forced upon him by his position: he spoke with the applause of a great party, and rose upon its



stimulating influence into a higher eloquence and ease than he had ever before seemed the possessor of in parliament. He spoke on many subjects, but Ireland was still his first thought. In 1835 he drew attention to the spread of Orangeism; and shortly after a committee of inquiry was appointed, which showed it to be a confederacy extending through the army, and presided over by the duke of Cumberland, the reversionary heir to the throne. The projects of the society at that time were so ambitious, that the House voted an address to William IV., praying him to discourage its introduction to the army and elsewhere, and the reply declared the king's determination to take measures for the purpose. The society, which was supposed to have meditated another "great and glorious revolution," was declared dissolved by the duke of Cumberland. On the introduction of the bill for extending Municipal Reform to Ireland, Sheil made a fierce address to Sir Robert Peel—the author of an amendment—whom he accused of giving Ireland, in emancipation, "a key which would not turn in the lock." He reminded him of the punishment which Ireland had inflicted on his ministry, which it had driven out of office, and taunted him with a policy of anti-O'Connellism. He had not legislated for a people, but against a man. "Granting him a life as long as Ireland can pray for, and his adversaries can deprecate, will he not be survived by the statute-book? Have you made him immortal as well as omnipotent? Is your legislation to be built on considerations as transitory as the breath with which he speaks; and are structures which should last for ages to have no other basis than the miserable antipathies with which we are distracted?" It was not often that the polished invective in which Sheil excelled was directed against Peel or Wellington; Stanley and Lyndhurst were the foes he generally aimed at; but he never entered into the lists with the lesser heroes of debate. In 1836 he took an important part in the two unsuccessful efforts of his party—one to reform Irish municipalities, the other to settle the tithe question. In the following session the same questions were brought forward, and Sheil made his greatest speech on the first mentioned subject.

In this speech he is said to have produced an effect upon the House unequalled since Pitt's denunciation of Napoleon in 1804. The most eloquent passage was a reply to lord Lyndhurst's description of the Irish as "aliens in race, in country, and in religion." He appealed to the duke of Wellington to say how Catholic Ireland had fought in the peninsula—to Sir Henry Hardinge, who was sitting opposite; and as he repeated the word "aliens," he pronounced it in a tone and with a gesture towards lord Lyndhurst, who sat in the gallery, which had the most dramatic effect. A storm of cheers and exclamations made a confusion quite strange in the English House of Commons, and which lasted for several minutes. A large proportion of the members rose to look at Sheil and Lyndhurst, that they might see as well as hear. The speaker was at length allowed to proceed, and when he concluded with another splendid passage, the applause lasted long, bursting out repeatedly as it died away, and no one rose to speak for some time, until at last Sir Robert Peel, like one laying his hand on a ringing circle, stopped the applause by rising to reply.

On the accession of Queen Victoria, a general election took place, and Shiel, after a severe contest, was returned for Tipperary by a large majority. The obstacle to his taking office was now removed, and lord John Russell wrote to lord Melbourne suggesting that his wishes on the subject should be consulted. This was accordingly done; and he expressed his preference for a political office, as he had so much forgotten his law that he would no longer accept legal promotion; he wished also that the office should be of a permanent nature, as his income was dependent on the life of Mrs Shiel; and he had felt so much the misery of poverty in early life, that he could never, he used to say, quite get the chill of it out of his bones. It was at first intended that he should have the office of clerk to the Ordnance, but a commissionership of Greenwich Hospital falling vacant, he preferred this position, although it was one of small emolument, on the ground of its permanency. He was afterwards, with laudable straightforwardness, informed by Sir Robert Peel that being held by a political partisan actually engaged in the parliamentary arena, he should not consider it in this light in the event of his acceding to office.

His position as a speaker was now established as second to none but lord Stanley, and his speeches were hailed as green spots in the sterile desert of parliamentary prosaicism. It was seldom, indeed, that he spoke without exciting the pulse of the House; and although the substance of his speeches was all carefully prepared, and it was only the slight turn and brilliant ripple caused by the influence of the moment that were really extempore, no man had ever greater power of putting life and enthusiasm into carefully prepared matter. On one occasion, when the Jamaica Bill was before the House, he ventured to speak without preparation. The disappointment at the want of his ordinary brilliance was soon shown by the inattention and consequent buzz of conversation which arose about him, and which soon obliged him to sit down. A few nights after, he wiped out the recollection of this failure by one of his most successful speeches. When, after a brief retirement from office, lord Melbourne's ministry returned to office, there was a complete redistribution of places, and Mr Shiel was made vice-president of the Board of Trade. In both instances his acceptance of office exposed him to the taunts and insinuations of the democratic press in Ireland. He was stigmatised as a "place-hunter," and looked upon as a man who had sold himself; but nothing could be more unjust than such imputations. His place in the government made no alteration in his speeches, votes, or private conversation; and it was an absurd sacrifice to expect from their brilliant advocate that he should participate in their political sulks and for ever exclude himself from office. The sneers directed against the pettiness of the Greenwich commissionership were not applicable to his new position, which, considering that he was born and bred an Irishman, and had, in addition to this birth-sin, neither fortune nor family, was an office that by its importance evidenced most extraordinary merits. In his new and very altered position Shiel had a large number of applications from friends and kindred, or those whom they recommended, for the exercise of his influence in the disposal of patronage. He was externally a very embodiment of the man-of-the-world; and when he

felt that he could be of real service to the applicant, did his best with sincerity, and cut short professions of gratitude and lengthened explanations. But when he did not consider there were claims, he was equally short and decided in an opposite sense. This made him many enemies, and caused him to be set down as worldly and selfish, qualities which could not be excused in a *ci-devant* tribune of the people, in whom a gushing and warmly sympathetic manner and nature, hail-fellow with every kindred vagabond not equally favoured by fortune, might properly be expected. On one occasion he had an opportunity of returning good for evil, of which he did not avail himself. Sir William MacMahon, uncle of his first wife, who had sternly refused in early days to procure an appointment for the young radical, wanted to retire from the Mastership of the Rolls on a full pension. He appealed to his influential nephew to promote this object, but was repaid in kind. Sheil said that his yielding to the impulses of family affection might be called a job. "I do not set up for a purist myself," he said, "but *my* sense of public duty, Sir William, must prevent me from having the pleasure of complying with your request." Although so much more worldly than Christian in this instance, he was never wanting in exertions to assist men of talent and desert, particularly the members of his old profession, literature.

In Ireland Repeal was lifting a bold and broad front. It caused more disquietude in Liberal than in Conservative counsels. The English Tory knew that the people of England could never consent to it, and that it would only tend to convert England to Toryism the louder grew the cry across the Channel. He heard it rise, so to speak, with a good conscience. The English Liberal, on the other hand, recognised in it a cross influence, tending to the division of counsels, the necessary abandonment of supporters by whom the Liberal ministry existed, or a still more important secession of supporters in the larger island. When Repeal should be pressed to an issue, it would be necessary to break openly with the Repealers, and this meant the loss of power. Sheil, it must be remembered, joined the Repeal Association with the candid admission that he would only use it as a threat to obtain another object. He was perfectly consistent, therefore, in offering a decided opposition to it in 1840 when O'Connell began to move on again. He was very desirous that Ireland should think more of practical politics than waste its energies on what the English Commons, in whom the decision rested, would rather die than concede. There was a great struggle then being waged over Stanley's Irish Registration, which tended to contract the county constituencies and make them more manageable by the landlords, and he grieved to see the great waves of the people flinging themselves forward upon vast impassable barriers, instead of rising up against this mole which was about to be erected against popular influence. But in parliament he still used the agitation, which he regarded as an abuse. He said in the debate upon the Registration Bill—"Persevere in that policy by which this measure has been prompted, and Ireland will soon be in a condition more fearful than that which preceded Emancipation. You will enter again into an encounter with that gigantic agitation by which you were before discomfited, and by which (for its power is trebled) you will be again overthrown. For all those

consequences that will ensue from the excitement which you will have wantonly engendered, you will be responsible. You will be responsible for the calamities which will gush in abundance so disastrous from the sources of bitterness which you have unsealed. If Ireland should be arrested in the march of improvement in which she has been under a Whig government rapidly advancing—if Ireland should be thrown back fifty years—if the value of property should be impaired—if the security of property should be shaken—if political animosities should be embittered—if religious detestation should become more rabid and more envenomed—if the mind of Ireland should become one heated mass ready to catch fire at a single spark; for all this you will be responsible." Lord Stanley's Bill was for that year defeated.

In 1841 several changes were made in the ministry, and Shiel exchanged the vice-presidency of the Board of Trade for the more congenial office of Judge advocate-general, for which he had a sufficient legal knowledge and a superfluity of ability. In point of emolument the change was an advantageous one, and it was not an unpleasing feature of the change that it brought him into communication with the Queen, even though the business of their interviews was generally relating to court-martials. He, however, perceived clearly that he was not likely to enjoy the change long, as it was obvious that Protection would in the first tussle be victorious. His object was to acquire a stronger claim for office when his party came into power again. In the general election which ensued, and which wrought such an overthrow for the Liberal party, Shiel wisely declined to stand again for the county of Tipperary, preferring to be returned for the borough of Dungarvan. The threats of disappointed place-hunters, and the ruinous expense of contested county elections, which fell upon his wife's estate, were the determining cause of his descent from the county to one of its boroughs. The expulsion of the government did not take him by surprise; in the debates upon Free-trade he took an important part, and although not at all likely to be an authority upon such a subject, as an eloquent exponent of it, his services to his party were invaluable. Mr. Cobden, who was not likely to be carried away by ordinary rhetoric, and who, from his great knowledge of the subject, would necessarily regard the materials of such an advocate as commonplace, thus describes his impression of Shiel's speaking in the Corn-law debates: "As I listened to his thrilling voice, and watched the quivering of his whole frame, it was impossible not to believe that he was thoroughly in earnest; it was not like any other man I had ever heard making a speech—he seemed to me like one possessed."

In 1842, Mr. Charles Gavan Duffy, since then an Australian premier, was tried for an article in the *Belfast Vindicator*; and not only was the jury compounded of Protestants, with only one safe exception, but Chief-justice Pennefather's speech was considered to amount to a violent and unjudicial attack upon the traverser. Shiel took up the subject warmly, and was extremely anxious that such a return to the old abuses of justice in Ireland should be properly exposed in parliament. He was not, however, able to do so, owing to the slackness of other Irish members, and the want of sufficient information. Circumstances were soon to bring him again, as a pleader, to appear



before the very judge he had been so anxious to put upon his trial. The Repeal year at last closed with all its wonderful tableaux in Ireland, and the O'Connell trial stood for the commencement of 1844. Sheil appeared for Mr. John O'Connell, the son of the "Liberator." An enemy which we have not before noticed, but from the attacks of which he had long been a sufferer, was the gout, and he was laid up with it for some weeks previously to the trial. It was during this confinement that he composed his great speech, preparing it with extreme accuracy, not on paper but in his head. When the reporters of the English press requested him to allow them to transcribe his speech, in anticipation of the trial, that a full report of it might appear with the proceedings, they were surprised to learn that only a few notes and memoranda of it existed. Sheil offered, however, to speak his speech for them, and actually delivered, with much of his wonted fire and vehemence, the whole of that lengthened address, almost identical in language and arrangement with that which was heard in court a few days after. The speech was written out and transmitted to London, and printed copies were in the hands of the reporters when Shiel rose to speak, and they read in their slips almost verbatim what he was speaking. We cannot give any idea of this speech by quotations; it was a very powerful political address, and as such effective, but the same jury-packing which he had been so strongly desirous of dragging to light on the occasion of Duffy's trial made all advocacy perfectly idle. He had shortly afterwards an opportunity of commenting on this abuse in the House of Commons. The panel was first mutilated and then purged, until the residuum of bigotry was arrived at, and this was called trial by jury. "The judge in 'Rabelais' held a dice-box, and threw alternately for plaintiff and defendant; but he did not load the dice." He commented with severity on the names of the witnesses on the back of the indictment not being given to the defendant; and on newspaper citations, which he was neither proved to have seen or sanctioned, being accepted as evidence against him. When we recollect that Sheil's main charge against the administration of the law in Ireland was upheld by the House of Lords, we must regard his denunciation as perfectly justifiable. There was a new Irish topic introduced by the proposal to establish unsectarian colleges in Ireland, and this scheme Shiel, consistently with the views which he had always enunciated on education, heartily supported. It was opposed by the other Roman Catholic members of the House, as well as by the high-church representatives of the Church of England. O'Connell gave the proposed establishments the nickname of "Godless colleges," and Mr. Gladstone withdrew from the ministry rather than support unreligious education. The position of Shiel was peculiar. Though a sincere Roman Catholic, a champion of his faith in public and private, and a regular attendant at public worship, he had once gone through a stage of scepticism; and this left him for the rest of his life in a somewhat different position to religion from those who had always believed blindly. When the education of factory children had been before parliament some years previously, and the necessity of teaching the State religion in State schools, which would have virtually excluded Roman Catholic children, Shiel made an eloquent appeal for their not being, on religious grounds, excluded from education. Although

in the bill introduced again in 1843 a special exemption was introduced to relieve Roman Catholics from the obligation to read the Scriptures, Shiel argued against the children of Dissenters being compelled to receive expositions of the Bible from Church teachers. He was much interested in the Oxford movement, by which the Catholic element in the Church was asserted, and often introduced allusions to it in his speeches and conversation; and on this occasion expressed his sense of the injustice there would be in compelling Dissenters to come under the new influence. His arguments always pointed to the solution of what is now called unsectarian rather than denominational education. He spoke of teaching children the "common truths of Christianity," and was therefore quite consistent in coming forward as the advocate of mixed and "unsectarian" university education. In vindicating his consistency, we do not, of course, adopt or pronounce an opinion upon his views. The establishment of colleges without a religious complexion he considered did not go far enough. Without disturbing the divinity school in the university of Dublin, he was in favour of throwing Trinity College completely open, and depriving it of its Church of England character. He would have preferred doing this to creating the provincial colleges. "Your provincial academies," he said, "will be marked with all the characteristics of mediocrity, which will only render the elevation of Trinity College more conspicuous by the inferiority with which it will be surrounded. How stunted and dwarfed the groves of our new academies when compared with the rich luxuriance of the gardens of Trinity! I had a thousand times rather you had applied your £18,000 a year to the establishment of new fellowships and new professorships in the metropolitan and national institution." Sir Robert Peel declared the impossibility of conceding more than this bill conceded, and his disappointment that the leading Roman Catholic member of the House should have put forward such unreasonable demands.

In 1845 a great affliction threw Shiel back from public life. His son fell into a consumption, and the climate of Madeira was recommended as affording a chance for the young man's life. Mr. and Mrs. Shiel followed their son, and they took a house near Funchal. In that wonderful climate, where life is enjoyable even to its last hours, and sets with the same clear and sudden dip with which the sun goes down in lands where there is no twilight between day and night, the young man's life seemed wonderfully sustained. But towards the end of the year the physicians gave Mr. Shiel no hope of him; it was at length revealed to the youth himself, and most painful scenes followed, which for a long time made a terrible impression on the father's mind. For months after the event he continued residing in Madeira in deep and gloomy seclusion. The news of Peel's resignation in 1846 roused him for a while, and thoughts returned of mingling in political life once more, and perhaps losing the spectre in the bustle and cares of office. The next mail, however, informed him of the failure of lord John Russell to form a cabinet, and he relapsed into his former apathy. Mrs. Shiel at length saw the necessity of awaking him from this state, and induced him to return to England. Sir Robert Peel was once more in office, opposed by Mr. Disraeli and the main body of his own former sup-

porters, and upheld by his own former opponents. Sheil returned to find a new Coercion Bill before parliament. He urged upon the Liberal party to unite with the Protectionists in driving the ministry from power, and eloquently reviewed the Irish policy of Sir Robert Peel. His speech had an effect on the House which speeches seldom have, and which in any other position would have been impossible; it had an important influence on the division. Sir Robert Peel was so much chagrined that next day he retired from office, and lord John Russell occupied his place. Sheil expected to return to the post of Judge-advocate, which he had held for so short a time in lord Melbourne's ministry. His friends considered that he had claims to be in the cabinet, and urged him to refuse the minor appointment if it should be offered him; but he was too well aware of the barrier of prejudice that formed an invisible hindrance in the path of those not born to wealth or greatness, and too considerate to his party to make this stand they wished. As it turned out, the mastership of the Mint, which was one of the principal offices of state, and sometimes held by a member of the cabinet, was reserved for him, and he was much gratified at this unsolicited promotion. The office of chief-secretary for Ireland was shortly after vacant, and it was understood that Sheil might have had it if he pleased. He felt, however, that there was no toleration in Ireland for a man who had raised himself to eminence without being rich; and he gave an amusing sketch of how all his actions would be criticised by the people of Dublin. In the general election of 1849 he again stood for Dungarvan, being opposed on Repeal principles by Mr. J. F. Maguire, editor of the *Cork Examiner*, and after a close contest was once more returned. He had of late seldom taken part in the debates of the House, not being asked to do so, and it was contrary to etiquette to speak unasked in the presence of the ministerial chief. He was much chagrined at his light being thus hidden; but when the premier was informed of the offence, he was frequently called upon to speak. The issue of the new florin with the omission of "*Defensatrix Fidei, Dei gratiâ*," was made the subject of ridiculous attacks upon the Master of the Mint, who, being a Roman Catholic, was accused of a subtle design to overthrow the queen's supremacy, or to imply that the nation's religion was *Fides*. Sheil had no difficulty in repudiating sectarian motives. He quoted the precedent of the silver coinage struck at Calcutta, and "reminded the House that the title had been conferred by the Pope on Henry VIII. for having written a book in defence of transubstantiation. It had come to mean simply head of the English Church, a dignity which he trusted the sovereign would never cease to enjoy. And with regard to the words *Dei gratiâ*, no one could be more prompt than he to acknowledge that a queen adorned by so many virtues was a special gift to her people."

Sheil's parliamentary career closed in 1850. He had desired to be in the cabinet, but this wish was plainly not to be attained. He saw titled mediocrity ride in the ascendant, and he felt about his own neck the clog of an unpopular religion. His wife's health was failing, and he desired to exchange his official sinecure for diplomatic employment. By the death of Sir George Hamilton, the post of minister at the court of Tuscany became vacant, and it was offered to and accepted by

Sheil. He had still a prospect of many days before him, although the gout, which he had constantly battled with the dangerous virtues of colchicum, had much weakened his frame, still his intellect was as active and his speaking as eloquent as at his best. Leigh Hunt, who had been his early critic, and later on had owed to him his pension, saw him a short time before his departure for Florence, and thus described the impression left by their only interview:—"I then saw before me one of the little great men of whom one reads so often in history, and I thought how well, in spite of time and the gout, his conversation answered to the idea given of him by his speeches—I mean as to life and freshness—for he did not affect anything rhetorical. I little thought so much vitality was about to be extinguished, and this in the genial South." Sheil's life at Florence was uneventful; but he took the most perfect delight in the treasures of art with which he was surrounded, and which revived all the springs of poetry in his nature. There was an unworthy disposition in the diplomatic body to sneer at one not regularly introduced into the profession, and an expectation that his deficiency in the punctilio and etiquette of the little artificial court would give fine scope for amusement at his expense; but this soon proved to be an entire mistake. Sheil was simply himself, not an awkward imitation of the regulation ambassador; and his knowledge of French and Italian enabled his wit and geniality to tell in his favour. The only transaction of any importance in which he was engaged with the Tuscan court was relative to the arrest of an Italian nobleman for reading a Protestant version of the Scriptures. Sheil, both as the representative of England and as a man radically opposed to religious persecution, interfered effectively in Count Guiccardini's behalf. The count called upon his benefactor before leaving Florence and had a long conversation, in which he found the minister thoroughly acquainted with the Scriptures, from which he quoted many passages. "He seemed to me," said the count, "to be deeply impressed with sentiments of piety, devotion, and love to God; and when I heard that he died only four days after my interview with him, I was much pleased that I had known him, and I felt convinced that, through the true Christ, he had entered into life eternal." Mr. Charles Phillips relates a most interesting conversation with Shiel, in which he stated that he had carefully examined the evidences of religion, and had left no infidel book of note unread; the result was his solemn conviction of the divine origin and entire truth of the gospel revelation. To such a man sudden death, though few would have the confidence in their own preparedness to desire it, was after all far preferable. The news of the suicide of his son-in-law, Mr. Power of Gurteen, gave a shock to his enfeebled system. Mr. Power was a general favourite, a rival of the marquis of Waterford in daring horsemanship, and in the full prime of his life. We can remember to have seen in childhood one of his reckless feats at Gurteen; and a severe fall received in attempting a mad leap, inflicted some injury on the brain, and made him subject to excitement from very slight causes. The estate of Gurteen was somewhat encumbered; and the inconsiderate pressure of a creditor acted upon his mind, and made him, obviously under the influence of insanity, destroy his own life. Mr. Sheil felt the shock personally, and through



his wife. It brought on a sudden attack of gout in its most aggravated form, and in one hour after being seized he breathed his last. His body was, by his own desire, brought back to Ireland, and was interred at Long Orchard.

THE REV. THEOBALD MATHEW.\*

BORN A.D. 1790.—DIED A.D. 1856.

FATHER MATHEW's work, in converting to temperance a generation of his countrymen, shows what a wonderful effect may be produced by a single voice lifted up in the world. Ireland was one of the most drunken countries in the world. The gentry had set the example of hard drinking, and the peasantry at a humble distance, as their means permitted, followed the example of their betters. The Roman Catholic clergy, a strong-headed class, though not intemperate, set no example of abstinence. Wakes, funerals, "patterns," and fairs were scenes of universal intoxication. Whisky was the wine of the country; adulteration added to its strength; a poor diet, to its potency. The peasants, fed exclusively upon potatoes and milk, were overpowered by a glass or two of the vitriolic liquor, which, acting upon their excitable nature, caused furious faction fights. Worse results followed than broken heads; the miserable poverty of the country was frightfully exaggerated, and the *morale* of the people lowered. The great apostle of temperance, who changed all this, and the effect of whose work still remains in the permanent elevation of the people, converted the majority of the nation to total abstinence. He had to deal with the most religious, and otherwise moral, people in the world, and this, of course, facilitated his mission; but yet the sudden conversion of a drunken to a sober country by the eloquence and enthusiasm of a single man, is one of the most remarkable facts in the history of morals. True, the people were being raised simultaneously by another great voice, and the moral resurrection was helped by the political. But when every detraction has been made, Father Mathew's achievement remains almost a miracle.

Theobald Mathew was the fourth son of James Mathew, a relation of Mr. Mathew of Thomastown Castle, afterwards lord Llandaff. James was adopted by his rich relation, and became, it may be assumed, a sort of unpaid steward to lord Llandaff; and his son Theobald was born at the castle. The boy grew to be a great favourite with their patron and his family; he was a constant companion to the lady Elizabeth, and acquired the manners, as he had the blood, and the appearance of a perfect little gentleman. It was natural that such a child should also be his mother's pet, and his intense devotion to her, which made him prefer her company to the sports and expeditions through the woods of his brothers and sisters, acquired for him the usual nicknames applied to children who are fond of the society of their

\* This and the following memoir, although of ecclesiastics, properly belong to the social and political division of this work. The importance of Father Mathew's life was social; of Dr. Doyle's, political.

elders. At the same time, he was a great favourite with the other children, over whom he had a peculiar influence, which became more acknowledged when he was devoted for the priesthood. He was extremely good-natured; and nothing gave him such innocent delight as to use his influence with the good mother to give the materials of a childish feast, at which, on their return home, he received his rougher brothers and his sisters with great hospitality and bland dignity of manner. Though grave and studious, he was far from a gloomy boy; on the contrary, he was a cheerful and delightful companion, and his face was very beautiful.

In course of time, the undefined position which he held at Thomastown Castle made James Mathew desire from his patron a large farm which was vacant upon the estate. He was made the tenant of it upon easy terms, and allowed the additional privilege of pasturing his cattle in the wide demesne, which extended over 2000 acres. It was the time when, owing to the war, farmers were making their fortunes, and Mr. Mathew, it may be supposed, with such advantages, was not slow in becoming a prosperous man. A family of twelve children, however, was growing up around him, and he was not sorry to accept from his rich relative an offer, won by the engaging qualities and high promise of Theobald, to place him at a first-rate Roman Catholic school in Kilkenny. From this school he was removed to Maynooth, and after the usual course was ordained. The following story is told by Mr. Maguire of Father Mathew's first sermon.

"He read and explained the gospel of the day, which proclaims the startling announcement that it is more difficult for a rich man to enter the kingdom of heaven than for a camel to pass through the eye of a needle. His principal auditor of this his first sermon was a village magnate and millionaire, Mr. Scully, considered to be one of the richest men in Tipperary. This rural Cræsus was much struck by the discourse, which was not a little enhanced by the singularly youthful and interesting appearance of the preacher, who rightly explained that it was not the possession of riches which was culpable in the sight of God, but the disposition or use made of them. Mr. Scully was a very large as well as a very rich man, and meeting the preacher at breakfast, he expressed his personal acknowledgment thus—'Father Matthew, I feel very much obliged to you for trying to squeeze me through the eye of a needle.' The old gentleman was at that time corpulent enough to have blocked up the Camel's Gate of Jerusalem." Mathew's voice was harsh, shrill, and weak; but the intense earnestness of his manner, and the easy way in which his discourse flowed from the warm and pure fountain of his heart, made his sermons most telling with rich and poor. Later in life his voice strengthened and deepened with long practice, and the greater confidence he had acquired as a public speaker.

Kilkenny, where he had been educated, was the scene of his first mission. He attached himself there to the Capuchin order, which was the poorest and smallest in Ireland, but which his humility preferred on that very account. The chapel of the order, which previously had been poorly attended, soon became crowded to its utmost capacity. Father Mathew was always a great favourite in the most important function of a Catholic priest—that of a confessor and director. Parti-

cular priests acquire the same sort of reputation that is gained by a skilful physician of the body; and in advising in spiritual matters, and those concerns which lie upon their border, and upon which Catholics consult their priests, and in healing souls which were sick, none was considered more successful. The consequence was an immense increase of labour. From five o'clock in the morning until night the young friar was often in the confessional, with only brief intervals for necessary food. Surrounded by crowds of penitents waiting for their turn to be heard, and closely besieged by this unsavoury crowd, fresh from their various occupations, he listened to the monotonous disclosures, and gave wise advice, rebukes, and exhortations.

There was at this time great jealousy entertained by the secular clergy of Ireland towards the different orders of monks and friars, who were probably more active than the parish priests, and put them to shame with their parishioners, besides usurping much of their functions, and causing a pecuniary diversion of a still more grievous kind. In fact, this feeling rose so high that the interference of the Holy See became necessary. Time has since shown that the jealousy was unfounded, and that offerings have increased instead of diminished where the Regulars have established themselves; but at the time of Father Mathew's mission in Kilkenny the Capuchins were forbidden to celebrate mass at Easter, which is the time of offerings. A false complaint was made, that he had infringed this rule, and he received in consequence the bishop's inhibition whilst pursuing his daily avocation, and surrounded by a crowd of penitents. He bowed at once to this harsh act of authority, and told the people to go to their other clergy; but although the charge was easily disproved, he determined to leave the diocese, where he had been thus condemned without a trial. The bishop soon deeply regretted his rashness, but nothing would induce Father Mathew to forego the removal he had determined on.

He was transferred to a small chapel in Cork, in which he became the assistant of Father Donovan. The latter had narrowly escaped the guillotine during the Reign of Terror, having been actually brought out to execution, and seen several of the same tumbril-loads beheaded, and only at the last moment been rescued by an Irish officer, who rode forward, prompted perhaps by some instinctive recognition of a fellow-countryman, and asked if there were any Irish amongst the condemned. Father Donovan shouted, with an accent in which there was no mistaking the county of Cork, that there were seven of them. They were ordered to stand aside, and by the intercession of the officer released from their perilous position. Father Donovan was now a man advanced in years, and of rather a harsh and passionate disposition; but the gentle goodness of Father Mathew, who shared the cockloft in which the friars lived over their chapel, soon mastered his bad temper, and they became the most attached of friends. The elder priest had devoted himself to consoling the last moments of men in that terrible position from which he himself had been so wonderfully rescued. The Draconian code was still in force, and executions were of frequent occurrence, and followed so rapidly on the sentence, that the priest did not usually leave the convict for the day and night that intervened. Father

Donovan, besides devoting himself to such trying consolations, was in the habit of gratifying the intense desire of the dying men to appear in a clean shirt, in order to "die decently," as they expressed it, and the priest was often in consequence reduced to his last shirt. We are led to suppose that the Friary chapel was in a neglected condition, and but little frequented in the sole charge of this good but eccentric priest. A great change came over everything connected with it soon after the arrival of "your young apostle," as Father Donovan's friends termed his assistant. The beautiful soul spread beauty around it; the altar assumed all the splendour that Catholics, who look upon it as God's throne, desire to invest it with. Neatness and pious care were visible in all the interior of the chapel; and in course of time the cockloft, where the friars lived, was restored to its original use as an organ loft. Shortly after Father Mathew's arrival, his chief returned home one day with an ecstatic air, and declared that the wish of his heart was at length gratified, and that he had secured an organ which there was no trouble in playing, as it was only necessary to turn a handle and the instrument played of itself the *Adeste Fideles* and the Sicilian Mariners' Hymn in the most beautiful way, and those sacred pieces might be introduced with great effect in the mass. Sunday came, and the two pieces mentioned delighted every one in the simple congregation; but unfortunately the third tune was in startling contrast with the other two; at a most solemn moment the lively strains of "Moll in the Wad" filled the chapel with incongruous sound and the simple priest with horror. In 1820 Father Donovan died, and his young assistant was then able to carry out his own views more completely. It was during the deep impression which succeeded his companion's death that he one evening fancied himself to have been audibly tempted by the devil. Though fond of giving parties to his friends, and ready to drink with them himself, and to pass the decanter freely, he was always strictly temperate, and never sought the nepenthe of his woes in the bottle. As he sat gloomily over the fire, a still voice said to him, "Father Mathew, that cognac in the cupboard is delicious. You have not tasted it. Why don't you try it?" The idea suggested having possession of his mind, and the supernatural character of the whisper not for the moment occurring to him, he replied audibly, "Tea is much better." "But you did not taste the cognac; it is delicious—only try it," replied the voice. "No; tea is much better," sturdily asserted the Father; and then, becoming aware that he was holding a dialogue with some invisible interlocutor, he sprang up in alarm, and almost ran to the house of Dean Collins, to whom he stated what had occurred. The parish priest confirmed his opinion that it was a temptation of Satan, and next day the cognac was given away to a friend. This was a sort of shadow of the future.

Father Mathew became known as a preacher. His heart was the book from which he read his sermons. His Passion discourses were almost as realising of the great event of time as a wonderful dramatic representation. He seemed to stand with those at the foot of the cross; he was terribly affected himself, and cries and sobs broke from his audience as he described the sufferings of which he seemed to be a witness. In preaching for charities he was wonderfully successful. On



one occasion, like the celebrated Dean Kirwan, preaching for the orphans, he burst into tears as he pleaded for a Magdalen society, and described, with Irish pathos, the fall of a young girl to whom he had been a father in religion, and the result was similar to that great collection at St. Peter's in Dublin. In the confessional, also, the young Capuchin became a well-known director of souls; he was sought by men coming from great distances; and in Cork the jily lamp-lighters, the sailors, and the carmen crowded about his confessional. He took the deepest interest in the young; he could scarcely restrain his emotion in administering to them their first communion; and he took the greatest pains to keep them out of evil. For this purpose he established a literary society for youths, and acquired the influence over them which a loving heart and a genial manner never fail to attain. He frequently took them out with him on expeditions into the country; and was fond of giving entertainments to his boys, of whom a large number were attached to his chapel, and assisted in the services. The boys of the Josephian Society, as it was called, worked amongst the poor, as they grew up, distributing relief, and reading and praying with the sick, and teaching the catechism. With the assistance of a number of good ladies, he established a school for girls, in which about five hundred were taught needlework and the elements of education. Another work of his in Cork was the establishment of a Catholic cemetery, formed on the old Botanical Gardens. The difficulty which was made to the Roman Catholic clergy performing their service in the Church of England burial-grounds suggested to the peace-loving mind of Father Mathew that the best way to avoid discord was to have a cemetery of their own. In the midst of the beautiful grounds he reared a great cross, overshadowed by a real cedar of Lebanon, and under this shadow the founder himself is buried. One of the earliest monuments erected in this cemetery was one to his brother Robert. He was a boy of the greatest promise, and resided with Father Mathew, who had the most intense affection for him; but at the age of sixteen he had such a thirst for adventure, that his brother thought it best to let him have his way, and he accompanied his brother Charles on a voyage from which he never returned, being carried off by sunstroke in the Bight of Benin. For a long time Father Mathew continued in a state of heart-broken grief, in which only the strong arm of religion prevented him from sinking.

It is obvious that the offerings which he received at his chapel must have been very considerable to enable him to incur such heavy expenses as the schools and cemetery involved. He was also most munificent in his charity, often giving anonymous help; and he was most kind to young priests, and in many instances his liberality enabled promising young men to enter the priesthood, and many valuable recruits were thus obtained for his own order. When fever and cholera visited Cork, all his means were at the disposal of the sick poor, to whom he also gave his personal attendance day and night. In the terrible visitation of Asiatic cholera, he spent, by his own choice, the hours from midnight to six o'clock in the morning in the temporary hospital, not only ministering to the patients, but keeping an Argus eye upon the nurses and attendants. One night, on returning to the

ward of a man to whom he had just administered the last rites, he found the bed empty, and was told that the patient was dead already, and had been taken away to the dead house. Not believing that the change could have passed so suddenly, he hastened to the dreadful scene, where the half-intoxicated attendants were wrapping the corpses in tarred sheets, and thrusting them into their coffins. Father Mathew insisted on the young man's being uncovered, and great was his emotion and joy when he found that his heart still beat, and that he had saved him from being buried alive. In a few days the patient was well, and thanked the priest for his life. In such good works many years of ministerial life passed, and Father Mathew had reached his forty-seventh year before entering upon the work which has made him famous as "the Apostle of Temperance." The cause had already been advocated for a considerable time in Cork by a Church of England clergyman, a Unitarian, and a Quaker. It was not likely that such heterogeneous allies would make much way with the Roman Catholics of Cork, and their success had indeed been very limited. William Martin the Quaker was always entreating Father Mathew to come to their assistance. "Oh, Theobald Mathew, if *thou* would but take the cause in hand!—*Thou* could do such good to these poor creatures!" Such appeals were made to a tender conscience, in which no voice that he believed *might* be divine was ever unheeded or silenced. As an instance of this, one morning, after several hours of labour, he was leaving the chapel for breakfast, when four sailors came to make their confessions. The priest was tired and hungry, and told them that the hour was passed, and that he could not hear them. As they went away, a poor woman plucked him by the sleeve, saying, "They may never come again." Father Mathew ran after them, and heard their confessions; and he afterwards thanked the poor woman, "through whom," he said, "the Holy Ghost had spoken to him." The entreaty of William Martin the Quaker now seemed to be this voice to him, and long and deeply did he ponder it in his mind, and seek for guidance by prayer. There was much Roman Catholic prejudice to be divested from his own mind, much of the same to be encountered in others; and while he had much doubt as to the propriety of his, as an ecclesiastic, giving himself over to the advocacy of a single morality, he had still graver difficulties in making up his mind to co-operate with men whom he regarded as teachers of error on a platform consisting of only one plank. He had also many doubts whether it could be right to preach the entire giving up of what God had bestowed upon man, and even in a marked way sanctioned the use of. Was he to preach against the moderate use made of wine and spirits by all those whom he respected and loved? Was he to assail the great brewing interests, and the publicans, who were his friends and supporters? Even his own family would be injured by his success. Was not the sovereignty of strong drink too great to make more than the feeblest impression upon it? And if so, failing in the task, he would only have destroyed his influence for good in its legitimate province; and, besides, given up the great object of his life, which was to build a church to God. At last, however, his doubts cleared up; the way lay before him, not quite plain, but sufficiently so to determine him to enter it. A meeting was

called together in his school-room, at which he took the chair, and when he had made a short speech, in which, to the great delight of the veteran teetotallers present, he declared his adherence to the cause, he advanced to the table, and crying out, "Here goes, in the name of God!" signed the pledge. The effect of their own most popular priest taking it up and forming a society of his own, immediately drew the attention of the Roman Catholic populace, who would have nothing to do with it while it was a Protestant movement. The meeting became so large, that the loft was no longer considered safe, and a friend of Father Mathew's procured him the use of the Horse Bazaar, a large covered space capable of holding 4000 people, where for many years the meetings were held, and hundreds of thousands of converts were made to temperance. In three months from the day that Father Mathew signed, 25,000 names were enrolled; in nine months, the number swelled to 156,000, and as the movement grew its increase became still more rapid. Cork became a place of pilgrimage, to which thousands came, many of them on foot from distant counties, to see Father Mathew, to be counselled and advised, and to take the pledge under him. He never allowed one of those weary pilgrims to leave his door before they had partaken of food, and, if necessary, been supplied with the means to regain their homes. These spread abroad the fame of Father Mathew, and the movement which he headed: but the expense was very heavy, and soon involved him in debt to the amount of £1500. The amount of misery and squalor that floated up about him soon made him as firm in the faith of temperance as William Martin himself, who was delighted to be called "the Grandfather of Temperance." Scores besieged his door every evening, particularly Saturday and Monday, to have the pledge administered, many smelling strongly of whisky. Often a mother or wife would bring an unwilling son or husband in this condition, and just as the captive was effecting his escape, Father Mathew would come upon the scene, and lay hold of him with a cordial greeting, as if he had come of his own accord, "Welcome! welcome! my dear! Delighted to see you. Glad you are come to me. You are doing a good day's work for yourself and your family. You will have God's blessing on your head. Poverty is no crime, my dear child; it is sin alone that lowers us in the eyes of God. Kneel down, my dear, and repeat the words of the pledge after me, and then I will mark you with the sign of the cross, and pray God to keep you from temptation." With these words, and with the pressure of a hand, the magnetic power of love, the man would be pushed down upon his knees and take the pledge. The effects of this great movement soon became openly apparent: order and quiet reigned in the streets; dissipated and haggard-looking faces became rare; greater comfort prevailed amongst the artisans, and their children were more regular and clean at school. Crime also was sensibly diminished, and the police court almost deserted. Employers bore testimony to the better attendance and work of their people. Temperance rooms were established, in which the working classes were able to meet, with the comforts of a bright fire, a newspaper or friendly discussion, without the accompaniment of intoxicating drink. Four years after the inauguration of the movement, Father Mathew thus spoke of its origin and progress:—

"This great temperance movement which we witness was not lightly thought of by me; it was not the result of a sudden excitement; it was not the impulse of a moment that induced me to undertake the share I have had in it. I pondered long upon it: I examined it carefully; I had long reflected on the degradation to which my country was reduced—a country, I will say, second to none in the universe for every element that constitutes a nation's greatness, with a people whose generous nature is the world's admiration. I mourned in secret over the miseries of this country; I endeavoured to find out the cause of these miseries, and, if that were possible, to apply a remedy. I saw that these miseries were chiefly owing to the crimes of the people, and that those crimes again had their origin in the use that was made of intoxicating drinks: I discovered that if the cause were removed, the effects would cease; and with my hope in the God of universal benevolence and charity, reposing my hopes in the Omnipotent, I began this mission in Cork, with the cordial assistance afforded me by people widely differing in creed, and particularly by members of the Society of Friends in that city. Four years have passed away since the grain of mustard seed was sown; many perils were encountered; many objections had to be met; misrepresentation had to be combated; opposition had to be faced. I went on, notwithstanding all. The grain of mustard seed grew by degrees into that mighty and majestic tree which has overshadowed the land, and under whose peaceful and protecting branches we are met this evening."

In December 1839, Father Mathew went on a mission to Limerick, on the invitation of the bishop, Dr. Ryan. The news of his visit spread far and wide through the surrounding country, and almost the whole male population for a long distance round, besides multitudes from still farther away, crowded into the streets of Limerick, which soon became choked with the innumerable concourse. No conjecture could be made of the number who came to meet the missionary, but some idea may be formed of it from the fact, that in the three or four days of his sojourn he took the pledge from 150,000 people. To provide for the wants of the multitude surpassed the resources of the large and prosperous city, and provisions went up to famine prices. All the public rooms were thrown open to shelter the people at night. Mr. Maguire says,—“Father Mathew's reception was such an ovation as few men ever received; indeed, still fewer had ever excited in a people the same blended feeling of love, reverence, and enthusiasm. Though with a serious and solemn purpose in their minds, the people rushed towards him as if possessed by a frenzy. They struggled and fought their way through living masses, through every obstacle, until they found themselves in his presence, at his feet, listening to his voice, receiving his blessing, repeating after him the words which emancipated them, as they felt, from sin, sorrow, and temptation.” The next visit was to Waterford, which was the first city to invite him by its Roman Catholic bishop. Many of the people of Waterford had actually made their way to Cork to take the pledge, and some gentlemen had proposed to raise a subscription to send those who wished to go on cars. Dr. Foran very sensibly thought the best way was to bring Mahomet to the mountain. The invitation was willingly accepted, and the same scene was repeated



in Waterford. In a few days 80,000 people had taken the pledge in Waterford.

This tremendous crusade in which he had embarked by no means made Father Mathew forsake his priestly functions. He returned to Cork at Christmas, and spent some time looking after his flock and strengthening the temperance organisation in Cork, and then went out again on a three months' mission. An eye-witness relates the strange impression produced upon him by Father Mathew, when he attended the great meeting at Parsonstown. It was necessary to draw up in front of the chapel a large force of police, infantry, and cavalry, to keep off the immense multitude that stretched far away as the eye could see, fluctuating with the various impulses of their excitement :— "Within the vicarial residence, and in strong contrast to the stirring scene without, sat the mild, unassuming, but extraordinary man, round whom had collected this display of martial pomp and numerical force. He seemed perfectly unconscious of the excitement he had produced, and spoke and acted as if he regarded himself as the least remarkable man of the age." When Father Mathew was known to be in any town or country place, the people threw aside their employments—the plough was left in the furrow, and men, and women, and children rushed forward, breathless and fatigued, to take the pledge. "Standing on a stone seat under a venerable ash tree—now more venerable than ever," says a Roman Catholic clergyman who had asked him to spend the day, "he received in this small town, without any previous notice having been given, 7000 or 8000 souls." In March 1840, the Apostle of Temperance was ardently welcomed by the Roman archbishop, by whom he had been ordained, thirty-six years before. It had commonly gone abroad, from the habit that is so strong in Ireland of exaggerating, that the happy effects which were predicted to those in ill-health, who should become total abstainers, were miraculous cures which he had the power of working. In consequence, there were brought to him great numbers of sick and infirm to whom he could not deny his blessing, although he repeatedly declared in public that he had no power to work miracles. The charge of being an impostor—a worker of false miracles—was one of those many charges brought against him from time to time, and from which his proud and sensitive nature suffered much sharp pain. Accusations that he made enormous sums of money, to enrich himself and his family, by the sale of cards and medals; that he encouraged licentiousness and profanity by his temperance soirees and institutions, and many other imputations, probably originated in the trade which his success necessarily injured. It was honourable, however, to the publicans, distillers, and brewers of Ireland, that, in general, they not only abstained from injuring or opposing the cause, but even subscribed largely and supported it warmly. Very different, indeed, was their conduct from that of the London publicans, who, when Father Mathew visited England, continuing the mission to his countrymen outside their country, organised mobs to interrupt his meetings, and even made gratuitous distributions of drink to the jeering crowd. There was not the restraining influence of religion in England.

Father Mathew always rejoiced more in gaining a priest or student

than in many lay converts, because he knew that with the pastor, so great is his power over the people, he was gaining his whole parish. He therefore determined to pay a visit to Maynooth College, and was received in that important school of Roman Catholic divinity with extraordinary enthusiasm and veneration. In that hall, where he addressed the students, he stood at the fountain-head of the moral and spiritual future of millions. We must make a brief extract from the testimony of one who was present:—"I had the good fortune to be present in the great hall of the college when the professors and students knelt down with edifying humility under the inspiring eloquence of an humble priest. The scene was majestically grand; it threw back the mind upon itself; it drew forth in full light all that is high and all that is amiable in the Irish heart; and to a day dreamer, like myself, recalled in tender recollection the memory of other times, and looked for a while like their revival. On an elevated bench which extends along one side of the quadrangular room, stood the Apostle of Temperance, 'reasoning of justice, and temperance, and judgment to come.' . . . The words of wisdom which he uttered were followed by deep emotion—they won the heart and subdued the judgment. No pen can describe, and none but an eye-witness can conceive, the stirring effect produced on a thoughtful spectator by the appeal of Theobald Mathew—the conflicting emotions of joy and astonishment in his audience, and the thunders of involuntary applause that greeted each new accession of converts as they moved deliberately forward in successive files, and with eager emulation, to the arena of virtue and heroic self-denial." The converts among the people of Maynooth numbered 35,000: and within the college 8 professors and 250 students registered promises in heaven of perpetual abstinence. During the same year he paid a visit to Carlow, and was invited to the college, where almost the whole body of students joined his society. Never since the eloquence of Dr. Doyle astonished the company gathered to hear the first address of the odd-looking professor had such a sensation been created within those quiet college walls. A number of the ecclesiastical students were publicly received in the cathedral, in presence of an immense congregation, and took the pledge before the high altar. On this occasion great numbers of sick and crippled people were brought to receive a benediction, which was believed to effect the miraculous cures already referred to. An eye-witness says, that although Father Matthew disclaimed all such power, there were many extraordinary cures wrought, at all events for the moment, by the power of faith or imagination:—"In many instances, by a sort of preternatural effort, cripples were seen casting away their staves and crutches, as no longer needful; whilst they walked erect or nearly so, to the great astonishment of all present, Protestant as well as Catholics. In those instances pious ejaculations resounded through the cathedral, both from the afflicted patients themselves, and from the crowds that flocked around them, within and without the sacred building. For any restoration of this kind, Father Matthew invariably requested the people to give all praise and glory to God, under whom he was an unworthy instrument, permitted to exercise the duties of the holy ministry, and to effect only what he believed to be a great social reformation." Our

own opinion is, that in a country where the religious charity of the people created an enormous supply of impostors in the way of cripples, there may have been some of those that threw away their crutches whose recovery was as much a humbug as their lameness. The difficulty which Father Mathew experienced in the different places which he visited was not to make converts, but to stop making them. On this occasion, having remained with the people to the last moment in the cathedral, after several days of superhuman labour, the hour came for his departure by the mail coach; leaving off his vestments, he crossed the park at a run, but as he went was obliged to keep administering the pledge to a crowd that ran with him; and when they arrived at the place where the coach was impatiently waiting, the vehicle was imbedded in a dense mob, from which it had to be rescued by the driver, as a huntsman saves the trophy of the chase. The mail was once delayed for five hours on the road, while the pledge was being administered to a multitude in which the coach was firmly wedged. A striking testimony was borne by the Lord-lieutenant of Ireland about this time to the effects of the temperance mission. Lord Ebrington said:—"To the benefit which the temperance pledge has conferred upon Ireland, in the improved habits of the people, and the diminution of outrage, his excellency bears a willing and grateful testimony." When this official testimony of approval was attacked in the House of Lords by a bigoted Irish peer, several other high testimonies were borne by other peers well acquainted with Ireland. The earl of Devon observed, that the change had been effected "by perfectly legitimate means and legitimate exertions, and was as little connected with fanaticism, with party, or with appeals to religious feelings of a peculiar character, as could be imagined." The statistics of crime in Ireland afforded conclusive evidence of the good effects of Father Mathew's mission, and at the same time demonstrated how large a proportion of crime is caused by drunkenness; the diminution would of course appear most in unpremeditated crimes. The number of homicides, for instance, fell from 247 in 1839 to 105 in 1841. Assaults on the police diminished by one-third. The decrease in other kinds of crime showed that the people had become more orderly and law-abiding: for instance, the offence of "rescuing prisoners," which was represented in 1837 by 34, had no return in 1841. Robberies diminished in the same interval from 725 to 257. The total number of offences of various kinds committed in 1839 was 12,049, and it gradually decreased year by year until 1845, when it had fallen to 7101. This is quite sufficient to show the enormous social reformation that Father Mathew had effected in Ireland. How infinitely grander and more conducive to the happiness and progress of the nation was the life of this humble friar than that of the greatest political agitator or reformer! External laws can never work such a reformation as man may work in himself. The ingenuity of legislators is in vain to check crime or to improve society, while such a large proportion of it spends much of its leisure in artificial madness or imbecility. Of course, no statistics can measure the improvement in the condition of the people, the greater comfort, and the better food and clothes, and the increase of self-respect and of happiness in the mutual relations of families and

of neighbours. We may quote, as a complete description of the change, by a contemporary, the eloquent words of Dr Channing :—

“A few years ago had we been called to name the country of all others most degraded, beggared, and hopelessly crushed by intemperance, we should have selected Ireland. There men and women, old and young, were alike swept away by what seemed the irresistible torrent. Childhood was baptised into drunkenness; and now, in the space of two or three years, this vice of ages has been almost rooted out. In the moral point of view the Ireland of the past is banished—a new Ireland has started into life; 5,000,000 of her inhabitants have taken the pledge of total abstinence; and instances of violating the pledge are very, very rare. The great national anniversaries, on which the whole labouring population used to be dissolved in excesses, are now given to innocent pleasures. The excise on ardent spirits has now diminished nearly a million sterling. History records no revolution like this: it is the grand event of the present day. Father Mathew, the leader in this moral revolution, ranks far above the heroes and statesmen of the times. However, as Protestants, we may question the claims of departed saints, here is a living minister, if he may be judged from one work, who deserves to be canonised, and whose name should be placed in the calendar not far below apostles. And is this an age in which to be sceptical as to radical changes in society, as to the recovery of the mass of men from brutal ignorance and still more brutal vice?”

We must say, while entirely agreeing with this high estimate of the man, and differing from his Church, that the incredible success of the temperance cause was quite as much a triumph of the Roman Catholic Church as a triumph of the instrument by whom it was brought about; and we do not think it affords any analogy for Protestant countries, where the ardour of faith, which renders a people malleable in the hands of a divinely commissioned reformer, is entirely wanting. In measuring the success of Father Mathew by statistics, it must be remembered that some deduction is due to another cause. It is well known that in times of great political excitement and agitation there is a great diminution of ordinary crime. O'Connell's agitation deserves, therefore, if an unintentional result deserves any, some of the praise for the improved statistics. From this other leaven Father Mathew desired to keep his own entirely distinct; but O'Connell and he were leavening the same lump, and it was impossible to dissociate their influence. The Apostle of temperance had none of the narrowness of the fanatic, and was perfectly conversant with politics, while he studiously endeavoured to keep clear of them. It was with no little annoyance, therefore, that he learned the intention of O'Connell, who was then lord Mayor of Dublin, to join in one of his great Easter-Monday processions. The people, however, were delighted to see side by side their two idols, and it was impossible in any way to escape from the embarrassment. O'Connell attended, and bestowed on his fellow-worker for Ireland's welfare the most unbounded adulation, in which he was nearly as great an adept as in the reverse. On this, as on other occasions, Father Mathew, whose lavish generosity was a remarkable feature in his character, distributed money freely amongst those who had come from great distances



to join in the procession, and, with native recklessness, had made no provision for food or for returning home. This was only one of many occasions which drew heavily on his resources. Was a monster tea given in his honour—he had to pay a couple of hundred pounds in the shape of unpaid balance for the compliment thus offered him. Was a friend's carriage seized as he was driving in his company—he paid the debt. Did he make an important convert—he flung a silver medal round his neck. Such extravagance would have exhausted the exchequer of an Indian prince. His temperance bands, also, which were established in every part of Ireland, were a great source of expense to him. They delighted the people, however, and provided an innocent counter stimulant, and therefore they delighted the simple beaming friar, who would have spent his last shilling to secure their success. Tracts, placards, handbills, hotel-bills, formed also large items of expenditure. It was generally supposed that this extravagance was supported by the enormous sale of medals and cards; a calculation was made that he must have sold them to the value of £200,000; this estimate being based on the wildly false assumption, that every convert bought them; the fact being that scarcely one in ten possessed, and not one in twenty purchased either. In the full tide of his success, and the angelic happiness which it must have given him to see such extraordinary blessings bestowed through his ministry on the country, he had the terrible secret cares of debt; as he himself expressed it, his “heart was eaten up by care and solicitude of every kind.” The secret at last was revealed; a bailiff one day knelt among the crowd that asked his blessing, and showed him a writ upon his knees. It was well for him that Father Mathew did not betray him, or he would probably have been torn to pieces on the spot. A meeting was immediately held in Cork, to consider how to relieve him of his liabilities. In four years, printing alone had cost £3000; and with a great staff of assistants to keep up, it is only wonderful how his extravagance did not involve him more hopelessly. We may mention, in passing, that one heavy item of expenditure was avoided—Purcell the great stage coach-owner of Ireland, and Bianconi the proprietor of the long outside cars with which travellers on Irish roads are familiar, made him free of all their conveyances. The honourable nature of his debts was made perfectly clear by investigation, and by a grand impulse of public sympathy from every part of the country, Father Mathew's liabilities were for that time entirely cleared off. A short time previously he had received pressing invitations from England and Scotland. The invitation to the latter, he was obliged for a time to defer; but he made a most successful tour through Lancashire and Yorkshire, and, generally speaking, was enthusiastically received. In Norwich, the bishop took the chair at a public meeting, and while noticing the variance of their creeds, and recalling the doubts that he had once entertained, and the evil that he had formerly spoken of Father Mathew, he entirely retracted all, and bore the heartiest testimony to his long and splendid career of philanthropy. Considerable opposition was organized by the publicans in London; some of the meetings were successfully interrupted: at some, the Irish drubbed the English roughs; but the work, notwithstanding these annoyances, achieved what it aimed at, the conversion of the London Irish. At one of those meetings in the low neighbour-

hood of Golden Lane, St. Luke's, where a flourishing Temperance Society has its home to the present hour, and one of those temperance bands, in which Father Mathew delighted, still makes the locality harmonious with the music of fife and drum, he observed among the crowd of Irish labourers that knelt around him, the future Duke of Norfolk, then lord Arundel and Surrey. Fearing that he might be acting on a momentary generous impulse, Father Mathew spoke to him privately, and to his questioning, the peer replied with tears, that he had received the sacrament that morning from the Father himself, with the resolution to take the pledge. The Temperance missionary was entertained not only by the Roman Catholic, but by the Anglican nobility; he essayed to convert the Duke of Wellington, and invested lord Brougham with a temperance medal, though he refused to take the pledge. Lord Brougham said he would bring it to the House, and put it on a certain old peer, who was generally the worse for liquor. He was as good as his word, and told his friend that it was a present from Father Mathew. "Then I tell you what it is Brougham, by ——! I will keep sober this night;" and so he did to the surprise of every body. The result of this English mission was an addition to the temperance ranks of 600,000 converts. It was commemorated by a tower, which an enthusiastic disciple built on the banks of the Lee, and which forms a picturesque feature in the scenery of that beautiful river. A more serviceable tribute to the conqueror on his return home was that which we have already noticed, a subscription to clear off his debts. It was the providence of God that raised up Father Mathew to make the people more fit in soul and body for the terrible potato blight, which would have been so much more destructive in the previous condition of Ireland. As it was, the unhappy people employed on the public works often, in their desperation, spent on drink the small dole granted for their support: and Father Mathew bitterly complained of the public-houses frequently opened in connection with the works, and in which the pay-clerks had their offices, and often a pecuniary interest. His remonstrance, addressed to Mr. Trevelyan, was at once attended to. He was, in that dark hour, all that one would expect: but fortunately the people had so many saviours, that in this noble work it was difficult to be conspicuous. It was not to be thought, that when the streets of Cork were filled with people dying of famine, Father Mathew would withhold his last shilling. He involved himself in new difficulties to relieve them, as did many of the gentry of Ireland, between whom and the peasantry, living in cabins, there had been but little sympathy. The profuse liberality to which he had more and more given way was probably the cause of a deep disappointment which befell him at this time. The Roman Catholic see of Cork became vacant, and by the suffrages of his brother priests he was named to the Pope as *dignissimus*. The recommendation of the diocese was generally adopted at Rome, and neither Father Mathew nor his friends, from whom he received the most joyous and enthusiastic congratulations, had any doubt of the result. But the decision was generally influenced by the advice of the Archbishop and his suffragans; and this was not likely, much as all men admired and loved Father Mathew, to be given in his favour. His weakness was too well known. While a most admirable administrator of charities, and the most practical

man on a relief committee, he was never able to keep his own finances in order, and had he been appointed to the bishopric, his extravagance would, no doubt, have been on a greater scale than ever. He was already in debt, after having had his debts so lately discharged, and he was never out of debt to the end of his life. It was not surprising, therefore, that another priest was preferred; but this decision, although he did not shew disappointment outwardly, must have destroyed many a splendid dream of what he would accomplish as a powerful bishop, who had already worked such wonders as a humble friar. Nothing, however, did the disappointment daunt him; he was not to be mitred in this world, but he seemed to become more intense in his exertions, as if he had been assisted by the failure to realise a nobler aim. "Ah, he *was* a man!" was the phrase of those who saw him work among the famine-stricken poor, lavishing a wealth of love, putting forth superhuman energy, and exhorting his disciples to stand fast to temperance in the temptation of their sufferings. Many great and influential persons had their attention much directed to Ireland at that time, and were struck with admiration of Father Mathew's merits, and sympathised with his embarrassments. Some of his friends proposed to buy him an annuity; but several members of the government being interested, a pension of £300 a year was conferred upon him by the Queen. Two years after, when he was on a visit to America, some expressions were attributed to him not very becoming in one who had received this state recognition of his achievements as a moral reformer. The truth was, however, that the disloyal words were put into his mouth by an Irish reporter. We have already said that Father Mathew took no outward part in politics; but he was at heart thoroughly attached to the empire. Some of his best friends were English; for instance, Mr. Rathbone, the great Liverpool merchant, and his family, were among his most valued friends. The mines of love which he possessed in Ireland were soon to have their wealth exposed by the first blow of severe illness he had as yet experienced. One morning, early in 1848, he was attacked with paralysis. To him it was a dealing of God, and he conversed with his physician and friends as calmly and smilingly as if he were in perfect health. Dr. O'Connor says:—"He remarked 'it was not much matter to him how it terminated. If a priest had done his duty and was prepared, the time of his death was of little consequence.' Of all the community among whom the news of his illness spread he was the only one that appeared unconcerned." Round his bed collected awe-struck and mournful crowds, who showed their grief in the expressive manner characteristic of the Irish; while the universal joy in his recovery, which was like the sun coming out of clouds, was a still stronger testimony of affection. The attack left so little effect that he was able to return to his work again as a priest and missionary of temperance; but Mr Rathbone mentions, that when he saw him after his illness, although "the goodness" of his appearance remained, the power was gone. He was no longer the same brilliant and animated speaker that he had formerly been, and the temperance cause itself, like its great advocate, was not what it had been before the famine. But with decreasing powers there was no diminution of zeal; and with the true apostolic spirit, he was determined, before his career closed, in spite of the warm remonstrances of his

physicians, to visit his countrymen in America. He was met at New York by the municipal authorities in a steamer and received by one of the largest assemblages which had ever met together in that city. The whole population turned out in holiday attire, and as the vessel steamed along the shore, one continuous cheer greeted it. Many an Irishman of the captivity, a prosperous and happy captivity, who had received the pledge from Father Mathew in his prime, far away in Ireland, was there to catch a glimpse of the well-beloved form, and greet him with a hearty cheer to his second country. His stay in New York was one continual reception, and he frequently returned to it during the next two years. The same prudent avoidance of politics which he had observed in Ireland was equally requisite in America; but it was much more difficult to keep disentangled from the abolitionists and the pro-slavery advocates, than from the political parties at home. His refusal to join the abolitionists, or even to express an opinion in their favour, was a subject of much irritation and invective. Nothing, however, could shake him in the determination to persevere in the single-handed advocacy of temperance. On another visit to New York, after extensive travels and great labours, he had some return of his former illness: but though weak and in pain, the labours he underwent were more than could be undergone by many in the full enjoyment of health. It was after the passing of this cloud that he visited Washington, and a proposition was made in the senate that he should be admitted to an honour which had never before been bestowed upon any one but Lafayette, viz., that he should be allowed a seat within the bar of the United States senate. This was opposed by the abolitionists, on the ground that Father Mathew having been reported (falsely) to have expressed pro-slavery sympathies, had refused to make an avowal to the contrary. After a long debate, which had a most important influence in assisting his work and bringing him into greater prominence, the proposal was carried by a majority of 33 to 18. So, until the December of 1851, he continued his mission, meeting everywhere the greatest success with his countrymen, delighting to see the good land and the pleasant to which they had passed over, and honoured by all. He then, after another warning, determined to return to Ireland, and go back to old scenes and the beggars of Ireland, whom he was charmed to see once more, not having beheld one in America for two years. The reverence and love of former times was now exalted into veneration for him as a saint. The old fancy of his touch and blessing working miracles of healing came back with greater force. There is undoubted evidence that they were effective in many cases, and medical testimony has borne this out. Of course a natural explanation will suggest itself to every mind sceptical of miracles in the later ages of the Church. Dr. Barter, the well-known hydropathic physician of Blarney, says that Father Mathew, many of whose cures he witnessed when he was residing at his establishment, "possessed in a large degree the power of animal magnetism." After his death pilgrimages were made to his tomb, and cures were said to be effected there of which magnetism could be no explanation. We must guard the reader against a suspicion that Father Mathew was anything of a charlatan; he always strongly denied, to those whom he blessed, that he had any power to cure.



Having been seized with another attack of apoplexy, he was recommended to go to Madeira, not only for the benefit of the climate but to escape the work which he was endeavouring to accomplish in his newly-consecrated Church of the Holy Trinity. The building of this church, which had cost £14,000, half of which he paid himself, had been one of the day-dreams of his life. He saw it realised, ministered at its altar, but was now forced to leave it for a time. On his return from Madeira he found it impossible to continue his duties as a priest. He took up his residence at Queenstown, and fondly the people watched "the white-haired venerable man, of a countenance noble in outline and sweet in expression" who might be seen creeping about with the support of a young lad. His concluding months he spent in a state of almost constant prayer. Visitors found him on his knees, and at his entreaty knelt and joined in prayer for him—for, as he answered their remonstrances, "Who can be pure in the sight of God." Weeping they knelt, and, at parting, promised "to remember him in the holy sacrifice." At last he passed away like a weary man falling asleep, having indicated his desire to be buried under the great stone cross in the cemetery he had established. Other communions may well envy the Church of Rome the one man in modern times who stands plainly forth as a saint of the old type—one, as the Protestant Dr. Channing said, "not far below the apostles."

RIGHT REV. JAMES DOYLE, D.D., R. C. BISHOP OF KILDARE AND  
LEIGHLIN.

BORN A.D. 1787.—DIED A.D. 1834.

ONE of the strongest points in the Romish Church is the freedom which she permits to genius of rising to the grandest positions. There is nothing to stay its flight; no network of prejudices, no social trammels. On the contrary, every facility is offered to the ambition of youth, even in the poorest station, to learn and to mount up. Instead of turning her great educational establishments, as the Church of England has done, into expensive and exclusive schools and universities for the rich and well-born, Rome has offered their advantages to all who could profit by them as well as to all who could pay for them, and so has drawn the good out of mankind instead of out of a class. She has consequently been served by far more talent than the Church of England could command in proportion; and that which she possesses has a freshness and new vigour which does not often shew itself on old and highly-cultivated stocks. This fidelity to the traditions of Christianity, of which the Founder was a carpenter and the princes were humble fishermen, has not only been a great source of strength, but gives a romantic attractiveness to the Church of Rome; she traverses the rank and greatness of this world with a rank and greatness not of this world; and what is admirable in the latter is, that it rests on a real, not on an artificial basis. Its princes and bishops rest on their own merits, not on those of their ancestors; and are God's nobility, as distinguished from man's. The two planes

have but a slender line of intersection, in which both kinds of nobility meet.

Dr. Doyle was one of those geniuses whom the Church of Rome rescues from obscurity. He was born in the county of Wexford about six miles from Enniscorthy, and was the fourth son of James Doyle, who occupied a large farm; but owing to speculations in land, was in reduced circumstances. Dr. Doyle's mother was a second wife; she was, though a Roman Catholic, descended from a Quaker family; and so narrow were their means, that she was obliged to walk into Enniscorthy before the birth of her son, in order to have medical assistance. The physician was her husband's half-brother; but she was too proud to ask him to drive out to see her, as she had not the means of paying him. The child born in lodgings in this little country town was christened James; and as he grew capable of instruction, his mother, who was a woman of masculine understanding, taught him the rudiments of book learning, besides imparting that character to his mind which a parent only can give. When the boy was nine years of age, an old hag, deaf and dumb, came one day to a farm house where young Doyle and an elder lad named Howlet were playing before the door. She wrote in chalk, upon a bellows, for Mrs. Howlet—"You intend that boy for a priest—he never will be one; but that youth yonder" (pointing to the future bishop) "will become a splendid ornament to the Church," and the old woman raised her hands in the form of a mitre. Prophecy has a tendency to fulfil itself; although young Howlet ducked the witch for his own share in the prediction, he probably received from it a turn which soon afterwards made him take to the sea; while Doyle, at the same time, saw the mitre before him glittering in the distance, and began to shape his steps accordingly. He was but eleven years of age when Wexford became the principal seat of a terrible civil war. He saw the battle of New Ross, in which the rebels fought with frantic bravery with the royal forces, but with the futility of men fighting with machinery. He was also present at an engagement on the banks of the Barrow. During the fight he and his companion lay concealed in some furze-bushes, while the volleys swept a horizontal hail shower over their heads. Doyle could not resist popping up his little black head now and then to see the effect of the firing, until his older companion was obliged to give him a thrashing with a hazel switch to make him keep it down, and it was probably only the smoke of the discharges that saved the boys from being piked or bayoneted. Having learned all his mother could teach him, James Doyle was sent to a school kept by Mr Grace, where he met many Protestant scholars, and received from this intercourse the beneficial experience, in which he wished all his countrymen to participate, by means of the national system. It is curious to think what immense results may have had their origin in little James Doyle being sent to a mixed school. Had he, from a purely Roman Catholic school, attained the same position as the negociator of an educational scheme for Ireland, it is most likely that for better or worse (for which we cannot venture an opinion) denominationalism would have prevailed in Ireland. In the year 1800, he was sent to a school kept by an Augustinian friar, the Rev. John Crane. He had already shewn, notwithstanding,

or possibly in some degree on account of, the jests of his Protestant schoolmates, a strong affection for his religion and exactness in its observances. In Father Crane's school he spent two years, and the death of his mother leaving him an orphan, in 1804 he adopted the monastic life in the Augustinian convent of Grantstown. In 1806 he made his profession, and took the vows of this Order after a novitiate of a year. He resolved to complete his education abroad, rightly believing that there is nothing which makes things at home appear in their right positions and proportions so unfailingly as for a time looking at them from the distance of a foreign country; and in after life he was able to set an enlightened value on the liberty enjoyed under the British constitution, which home-bred priests, nursed up in prejudices, could never set upon it. Coimbra was the great ecclesiastical metropolis and seat of learning in Portugal; and thither Doyle repaired with three other Irish students. He was received gratuitously by the Augustinian friars, whose wealthy convent was close to the *Collegio de Graça*, in which he was placed; it was one of twenty colleges, containing 2200 students, and into this ocean of learning and study the young Irish monk plunged with delight. Although very backward, on his arrival, in science and classics, and for some time unable to write a thesis, the sparkle of his talent was soon caught sight of by the professors, and he was given the unusual privilege of having the whole range of the university without payment. In the two years during which he remained at Coimbra, he made the progress that gifted men usually make in four; but he encountered a danger which would scarcely have been expected in that Catholic university, where no Protestant ever set foot save the victims of the Holy Office, and learning came, like light through the saints in stained glass windows, only through priests and friars. But some rays of the unholy and vulgar light of common day could not be excluded, and to eyes unused gave a strange sensation, awakening doubts and speculations which would not have been so startling in a secular college. Dr. Doyle went through a great mental struggle, in which no doubt many weaker men have gone down. We must quote his own account of this critical period in his life; but it is very suggestive, that while in a mixed school of Catholic and Protestant, his faith was confirmed, in a purely Catholic university it was shaken; and he afterwards (in 1822) expressed an opinion which is rather startling, and very condemnatory, coming from a Roman Catholic bishop, that "to suppress or secularise most of the convents of men in Portugal would be a good work." Dr. Doyle was one who, in his Episcopal position, spared no ecclesiastical abuse; he was a reformer in the right place, that is, set on high; and he probably saw enough in that Augustinian establishment, where two hundred people lived daily upon the leavings of the luxurious monks, to make him almost a reformer in the wrong place—we mean in the position of a subordinate, in which, as a reformer, he must have been a rebel.

Dr. Doyle thus describes his combat:—"I had scarcely finished my classical studies, and had entered college, when I found myself surrounded by the disciples and admirers of D'Alembert, Rousseau, and Voltaire. I frequently traversed with them the halls of the Inquisition, and discussed in the area of the Holy Office those arguments or sophisms

for the suppression of which this awful tribunal was ostensibly employed. At that time the ardour of youth, the genius of the place, as well as the example of my companions, prompted me to inquire into all things, and to deliberate whether I should take my station amongst the infidels, or remain attached to Christianity. I recollect, and always with fear and trembling, the danger to which I exposed the gifts of faith and Christian morality which I had received from a bounteous God; and since I became a man, and was enabled to think like a man, I have not ceased to give thanks to the Father of Mercies, who did not deliver me over to the pride and presumption of my own heart. But even then, when all things which could have influence upon the youthful mind combined to induce me to shake off the yoke of Christ, I was arrested by the majesty of religion—her innate dignity, her grandeur, and solemnity, as well as her sweet influence upon the heart, filled me with awe and veneration. I found her presiding in every place, glorified by her votaries, and respected or feared by her enemies. I looked into antiquity, and found her worshipped by Moses; and not only by Moses, but that Numa and Plato, though in darkness and error, were amongst the most ardent of her votaries. I read attentively the history of the ancient philosophers as well as lawgivers, and discovered that all of them paid their homage to her as the best emanation of the one supreme, invisible, and omnipotent God. I concluded that religion sprang from the Author of our being, and that it conducted man to his last end. I examined the systems of religion prevailing in the East; I read the Koran with attention; I perused the Jewish history and the history of Christ, of his disciples, and of his Church, with an intense interest; and I did not hesitate to continue attached to the religion of our Redeemer as alone worthy of God; and being a Christian, I could not fail to be a Catholic.”\*

This passage involved him in constant dialectic struggles with his fellow-students, among whom, after subduing his own doubts, he became a powerful champion of the faith; and he thus acquired a training which made him the ablest defender which the Roman Catholic Church ever had against Protestantism. But he was now to be engaged in warfare with carnal weapons, for Portugal was invaded by the French, and the students of Coimbra were converted into soldiers. The Irish students who knew the Portuguese language were useful as mediums of communication and confidential agents. They were employed to collect information for Lord Castlereagh and Sir Arthur Wellesley when he had taken the command. Doyle performed the most important services, and no doubt enjoyed his temporary release from the long robe, and active life in military uniform; though it did not in the least divert him from the path he had marked out for himself as a soldier of Christ. After the French had been defeated at Vimiero, he accompanied Colonel Murray to Lisbon with the articles of the Convention. The most brilliant offers were made to him by the Portuguese government, by which his diplomatic talents were fully recognised. He was received with great favour at court, and the most splendid career was open to him. But nothing could induce him to look back from that plough to which he had first put his hand, and in the furrows made by which he was to be

\* On the State of Ireland, vol. i. p. 24.



a faithful sower. He counted the cost—"all manner of distress, as well as the most alluring prospects, tempted his fidelity"—but he was resolved to complete the tower, of which he had laid the foundations amid so much mental doubt and difficulty, until its battlements should reach to heaven. "We have at an early period of our life," he afterwards said in a Pastoral, "rejected the favours of the great, and fled from the smiles of a court, that we might, in our native land, from which we had become an exile to procure an education, labour in the most humble departments of the sacred ministry." Humble in all human probability was the life he had chosen; for although his poverty and comparatively humble origin would not tell against him, the jealousy of the Regulars, which we have noticed in the preceding memoir, was very strong in Ireland, and not only prevented their being selected for preferment at home, but had great influence with the Pope. In fact, Cardinal Antonelli, the papal right hand, took a sort of pledge against friar-bishops.

Doyle returned to Ireland in 1808, and after another year in the convent at New Ross, where he was joyfully received by his old preceptor, he was ordained at Enniscorthy in 1809. He again returned to his convent, in which he was appointed to the chair of logic. He endeavoured to supply the great want which he felt of a thorough command of English language and style—a want very common amongst those who had left home as illiterate Irish boys and returned with even less of the language than they had taken with them to their foreign colleges,—and for this purpose he studied Blair, the predecessor of Whateley, and other masters of the art of logic and language. He was an apt pupil, and soon gained a command of English and logic, which made him comparable with the most cultured writers and speakers of the language. Dr. Doyle's talents were speedily to find a suitable frame: he was recommended by a priest, who knew his remarkable ability and learning, to fill the Chair of Theology in Carlow College during the absence of the professor. On the first appearance of the young friar, his quaint and shabby exterior produced an unfavourable impression. His hat was old and brown, his coat was of coarse frieze, and his feet were shod with awkward country-made shoes. His countenance wore a lofty expression unsuited to the humble position indicated by his dress; his figure was tall and ungainly, and his extremities large. The young men laughed, and the professors stared; but when he spoke, mind shone forth, and the superiority of intellect at once awed into respect the tittering forms. On the return of Mr. Fitzgerald, Doyle proposed returning to his convent, but the president determined not to lose such an invaluable assistant, and appointed him the first professor of rhetoric. His inaugural address established his reputation not only in the college, but throughout Ireland, and other addresses which followed were fully up to the same high level of ability. Even his appearance seemed to be altered; the grandiose was found to be the grand. "Erect as a lath," says his biographer, "grave as a judge, reserved, dignified, and austere, he was feared by some, beloved by those who knew him intimately, and revered by all." Amusing anecdotes are told of Dr. Doyle in his professorial capacity. A student having gone up into the pulpit as if he were going to astonish his audience, could not com-

mence his oration, his ideas having forsaken him, and he descended in confusion. The Professor's witty comment was, "If you had gone up as you came down you might have come down as you went up." On another occasion, being asked his verdict on an oration which had been listened to with murmurs of applause, he replied, "My verdict is, guilty, Sir." "Guilty!" said the admiring priest, "of what?" "Of robbery and murder. The whole sermon may be found in Bourdaloue, and it has been murdered in the delivery."

The Roman Catholic bishopric of Kildare and Leighlin became vacant in 1819; and Dr. Doyle was selected by the vote of the clergy. Their selection was confirmed by the pope; but they were probably scarcely aware, when making it, of the terrible yoke they were putting upon their own necks. Dr. Doyle was extraordinarily young for a bishop; when Dr. Curtis, the newly-appointed archbishop of Armagh, and he met in Dublin, the former observed, "they sometimes do strange things at Rome." "Why, yes," said Dr. Doyle, "it occasionally happens so. What last?" "In nominating an old man, with one foot in the grave, and a beardless boy, bishops." But his youth did not make him a less strict shepherd over his erring clergy; he certainly allowed no man to despise it. Discipline had been much relaxed; the priests hunted, and farmed, and caroused at the "stations," which were in the nature of mission visitations, held at the houses of rich farmers. The young bishop proceeded at once with an unsparing determination to root up all these abuses. He forbade the practice of holding stations, and cut off all secular pursuits without mercy. The distant menace of a visit from the bishop galvanised a neglected parish into spasmodic activity. He held a Retreat, which was attended by nearly all the Irish prelates and an immense number of priests, and produced an extraordinary effect in reviving the life of the Romish Church in Ireland. In the defence of his Church's doctrines he was one of the most powerful controversialists Rome ever produced. Archbishop Magee's antithesis of "a church without a religion and a religion without a church," intended to be descriptive of Rome on one side and dissent on the other, awakened the ire of the bishop of Kildare, who replied under the signature of J. K. L. (James, of Kildare and Leighlin). He assaulted the Established Church with great vigour, and his vindication of the "civil and religious principles of the Irish Catholics" drew out so many rejoinders that he was obliged, under the same initials, to publish a defence. This was soon followed by "Letters on the State of Ireland." Those who from the time of the Reformation had regarded the Church of Rome as incapable of any good defence, as well as the Irish Roman Catholics themselves, who had never dared to make any, were struck with astonishment at the eloquence, force, and apparent success with which the professor-bishop defended his Church. Nor was he only weighty and powerful in his letters; but in his personal dealings with men he was equally effective. The writer of a sketch in the *Dublin University Magazine*, says:—"Savage-looking men of colossal frames, faction-fighters and ribbonmen, bowed like bulrushes under his rebuke." It is mentioned that "he made frequent use of his crozier whenever he wished to render an official rebuke indelibly terrible. An unfortunate female, who was one day kneeling

for pardon at his feet, fainted away from sheer terror as the bishop's crozier smote her on the neck." Such severity, although it might awaken the indignation of Protestants, was perhaps efficacious in rescuing her from a life of sin.

We must not forget, however, that we have introduced Dr. Doyle as a politician, not as an ecclesiastic; and before ceasing to view him in the latter aspect we would only observe, that to him was due a greatly increased circulation in Ireland of the Roman bible, and that he was the very man to clear off the incrustation of whatever was alien from the church's fabric, though further he would not venture. He wrote strongly in favour of the union of the Churches of Rome and England which he would have much preferred to emancipation. His words on this subject are so remarkable, as coming from a great and revered Roman Catholic bishop and doctor, that they are most worthy of quotation. The occasion of Dr. Doyle's letters on the reunion of the Churches was a declaration made by Robertson in the debate on Hume's motion for disestablishment, that he was anxious for this reunion to take place. The letters, which made a great sensation in England, were addressed to Mr Robertson. In one passage the bishop boldly declared in reference to the attitude of 6,000,000 Catholics in future wars, "the Minister of England cannot look to the exertions of the Roman Catholic priesthood; they have been ill-treated, and they may yield for a moment to the influence of nature, though it be opposed to grace. This clergy, with few exceptions, are from the ranks of the people; they inherit their feelings; they are not, as formerly, brought up under despotic governments, and they have imbibed the doctrines of Locke and Paley more deeply than those of Bellarmine, or even of Bossuet, on the Divine Right of Kings; they know much more of the principles of the constitution than they do of passive obedience. If a rebellion were raging from Carrickfergus to Cape Clear, no sentence of excommunication would ever be fulminated by a Catholic prelate, or, if fulminated, would fall as Grattan once said of British supremacy, like a spent thunderbolt, 'some gazed at it, the people were found to touch it.'" He then, after showing that Catholics of wealth and position could no more be depended upon to allay the people than the Catholic clergy and bishops, he proceeds thus:—

"Catholic emancipation will not remedy the evils of the tithe system, it will not allay the fervour of religious zeal—the perpetual clashing of two Churches, one elevated, the other fallen, both high minded, perhaps intolerant; it will not check the rancorous animosities with which different sects assail each other; it will not remove all suspicion of partiality in the government, were Antonius himself the viceroy; it will not create that sympathy between the different orders in the state which is ever mainly dependent on religion, nor produce that unlimited confidence between man and man, which is the strongest foundation on which public welfare can repose, as well as the most certain pledge of a nation's prosperity. Withal, Catholic emancipation is a great public measure, and of itself not only would effect much, but open a passage to ulterior measures, which a provident legislature could without difficulty effect. The union of the Churches, however, which you have had the singular merit of suggesting to the Commons of the

United Kingdom, would altogether and at once effect a total change in the dispositions of men; it would bring all classes to co-operate zealously in promoting the prosperity of Ireland, and in securing her allegiance for ever to the British throne. The question of emancipation would be swallowed up in the great inquiry, how Ireland could be enriched and strengthened, and in place of the Prime Minister inventing arguments to screen an odious oppression, and reconcile an Insurrection Act of five and twenty years' duration, with the Habeas Corpus Act and Magna Charta, we would find him receiving the plaudits of the senate, the thanks of his sovereign, and the blessings of millions for the favours which he could so easily dispense. This union on which so much depends, is not, as you have justly observed, so difficult as it appears to many; and the present time is peculiarly well calculated for attempting, at least, to carry it into effect. It is not difficult; for in the discussions which were held, and the correspondence which occurred on this subject, early in the last century, as well as that in which Archbishop Tillotson was engaged, as the others which were carried on between Bossuet and Leibnitz, it appeared that the points of agreement between the Churches were numerous, those on which the parties hesitated few, and apparently not the most important. The effort which was then made was not attended with success, but its failure was owing more to princes than to priests, more to state policy than to a difference of belief. But the same reasons which on that occasion disappointed the hopes of every good Christian in Europe would at present operate favourably. For what interest can England now have which is opposed to such a union, and what nation or church in the universe can have stronger motives for desiring it than Great Britain, if by it she could preserve her church establishment, perfect her internal policy, and secure her external dominion." To procure a union, he said the clergy would be willing to make every possible sacrifice, and he himself would most cheerfully resign his office. The method which he proposed for arriving at reunion was as follows:—"It may not become so humble an individual as I am to hint even at a plan for effecting so great a purpose as the union of Catholics and Protestants in one great family of Christians; but as the difficulty does not appear to me to be at all proportioned to the magnitude of the object to be attained, I would presume that if Protestant and Catholic divines of learning and a conciliatory character, were summoned by the Crown to ascertain the points of agreement and the difference between the churches, and that the result of their conferences were made the basis of a project to be treated on between the heads of the Churches of Rome and of England, the result might be more favourable than at present could be anticipated. The chief points to be discussed are the canon of sacred scriptures, faith, justification, the mass, the sacraments, the authority of tradition, of councils, of the pope, the celibacy of the clergy, language of the liturgy, invocation of saints, respect for images, and prayers for the dead."

It is remarkable that while Dr. Doyle was in favour of such a discussion, he interposed his Episcopal authority to put a stop to the renewal of the public tournament of controversy in Dublin between the



clergy of the rival churches. He was a man who believed that his church could be defended, and his own writings and anxiety for the education of the people shewed the sincerity of his belief; but he considered that those pugnacious discussions, in which the most sacred mysteries are tossed about in the arena, amid applause or laughter, are in the highest degree unedifying, and result in victory only for the mocking infidel. We have said that he was a genuine advocate of education, but of course he wished religion to have its place in it; and he was therefore a great promoter of monasteries and convents, and encouraged the labours of the Christian Brothers in his own diocese. He was violently opposed to the Kildare Place Society, which had started with promises of not interfering with religion, and on that understanding had received the support of lord Fingal, O'Connell, and other Catholics of influence. It was found, however, that the promise was not faithfully kept; the Roman Catholics withdrew, and Dr. Doyle's attack on the Society, which afterwards, as the Church Education Society, became openly proselytising, procured the withdrawal of the government grant. At the same time, he was strongly in favour of united education under a system "which not only will not interfere with the opinions of any, but which will secure the religious instruction of all." Where Roman Catholics were immensely preponderating, he wished the schools to be under the superintendence and control of their clergy, whilst the rights of conscience of the minority should be strictly guarded, and in the opposite case *vice versa*. In fact, what he proposed was exactly embodied in lord Stanley's education scheme; and all his ideas were carried out, even more in favour of his church than he demanded, in the national education system of Ireland. Cardinal Cullen, and others who have asserted of late years that Dr. Doyle, if now alive, would be opposed to the system of which he was, it may almost be said, the author, can scarcely have studied his opinions with much care. One of his great objections to the Kildare Place Schools was the book of extracts used in them from the Church of England bible, which he considered, in several hundred texts, garbled. He also dreaded the taint of Socinianism, which was just then spreading so widely amongst Irish Protestants, and has divided the Presbyterian Church into deists and believers in Christ's divinity. It was a time which put to a severe strain the principles of a Roman Catholic supporter of united education; any one who honestly supported it then would be very unlikely to oppose it now.

In 1822 Dr. Doyle may be said to have begun his political career as an opponent of the *Veto*. He went the length of saying that even if the Pope conceded this demand, he would rather resign his see than assent to a Protestant sovereign directly or indirectly meddling with the appointment and succession of bishops in the Catholic Church; he also defended the custom of the advice of the bishops of the province, rather than of the dean and chapter of a vacant see, being taken at Rome, and asserted the paramount central authority of the Pope. In 1824 he was summoned to give evidence before the committee of Lords and Commons on the state of Ireland, and was subjected to an examination which was very prolonged and searching, for he had quite established himself as the exponent of the Roman Church. The marquis

of Wellesley had considered that he worsted archbishop Magee, the illustrious grandfather of the present bishop of Peterborough, and his political writings had established his reputation in this world's affairs as his vindication of Rome had in polemical. He was many days under examination, and afterwards spoke of the feebleness and repetition of his examiners with the greatest contempt. The Duke of Wellington, who had left the committee room to refer to an authority, was asked by a peer if they were examining Doyle; "No," replied the Duke, "but Doyle is examining us." His great command of learning, the clearness, vigour, and correct and strong language of his answers, excited great admiration for him. "He was as much above O'Connell," said one, "as O'Connell was above other men." There can be no doubt that the effect of his evidence on the public, and particularly on the legislative and governing section of it, was one of the great predisposing causes which wrought out Catholic emancipation. O'Connell was examined before the same committee, and it has already been said how he wavered on the subject of "the wings." After his return, he endeavoured to throw the blame of this on Dr. Doyle; but besides that the latter distinctly repudiated payment of the priests in his evidence, and said he would prefer depending on the slender support his flock could afford him, it was proved that the date of his starting, which was the day on which O'Connell wrote to the Catholic Association his approbation of the proposed appendages of emancipation, made the excuse of being influenced by the bishops palpably mistaken. It was necessary to the bishop's influence and popularity that this charge, the truth of which would have been greatly resented in Ireland, should be refuted; and he appeared, to O'Connell's discomfiture, at a meeting where he had just repeated the statement and gave it a distinct denial. This drew from O'Connell a humble apology. In consequence of his admirable evidence before parliament, quite a ferment of affection was excited for bishop Doyle in his diocese and throughout Ireland; and at a meeting held in Carlow, it was resolved to purchase an episcopal residence for him and his successors in the see. In his reply he said, "Were I the sole object of the generous offering you propose to make, I should undoubtedly decline accepting it, for my soul abhors gifts, and I desire not to have here a lasting abode." There is a curious inconsistency in the feeling thus expressed, and the distaste which he expressed in early life for the position of the secular clergy, with his antagonism to a state provision.\* Braganza House, distant about a mile from Carlow, was the residence purchased. Dr. Doyle's twelve "Letters on the State of Ireland" were written in 1825, at the request of a friend in England. In them he reviewed the unfair system of government, the division of parties into Orangemen, Catholics, and the government party; religion, with reference to the Protestant establishment; the "moral chaos" of the laws; the increase of population in relation with the unreclaimed lands, which would render the country capable of supporting 18 or 20 millions of people; the necessity that government should disavow the proselytism of the Education and Bible Societies; Catholic emancipation; the disfranchisement of the forty-shilling

\* He agreed with Shiel in wishing for an educational parochial endowment.

freeholders; and a legal provision for the poor, of which, like Sheil, he was much in favour. These letters, signed with the celebrated initials, had a very great effect in educating public opinion, and were followed, in 1826, by his Essay on the Catholic claims, in the form of letters addressed to lord Liverpool.

One of the most lumbering and difficult-to-be-removed objections was met with particular force and authority by Dr Doyle as a Roman bishop; the objection that as Roman Catholics obey the Pope in spiritual matters they could not pay to the government the duty which as subjects they owed to it. "We, Catholics, think otherwise. Let our reasons for thinking so be dispassionately considered. It is, in the first place, quite clear, that to pay obedience to some person who is not the sovereign, does not of itself imply any division of allegiance, for we are all obliged to obey Almighty God, to obey His law, to obey the dictates of our own conscience, to obey our parents, to obey our civil, military, or ecclesiastical superiors; this truth is not disputed. We may, therefore, assume that it is consistent with our allegiance, or the duty we owe the government, to pay obedience to whomsoever it may be lawfully due." The bishop then argued that the obedience which they owed to the Pope, as in their opinion Christ's chief minister, was just of such a kind, and did not interfere with their obedience to the laws. In a pastoral to the Ribbonmen, published a year or two previously, he had held exactly the same position, that if the followers of a higher king were not absolved from paying tribute to Cæsar, no power could absolve them from obeying the laws of their country. He denied, in the Essay, that the Pope had any worldly domination, but simply administered the laws of Christ. The assumption by some popes of the right of deposition was an abuse, and was never proposed as a doctrine to the faithful. He quoted the oath in which the Irish bishops and priests expressly disclaimed the dogma that excommunicated princes may be deposed and murdered, or that any foreign potentate or prelate had temporal or civil authority in this realm. In more than one of his writings he declared that he would for his own part wholly disregard the papal authority if stretched beyond its spiritual limit; but we greatly doubt if Dr. Doyle could have maintained in old age, had he survived to see it, the principles and views of middle life consistently with his position in the Roman Catholic Church; and some of his liberal concessions as to the errors of bygone popes would certainly be inadmissible at the present day. From political essay writing Dr. Doyle was recalled to polemics by a second charge of Archbishop Magee's; this appeared just at a time when the Irish Church was assuming an aggressive attitude towards the Roman, and lord Farnham had put himself at the head of what was magnificently called "the Second Reformation," which some said would itself bear no fruits, but would lead to a "Third Reformation" in the disestablishment of the Church. Dr. Doyle had proposed as a substitute for emancipation a reunion of the churches; certain Protestants in Dublin thought they could work this problem in their own way, and that it would not be very difficult to protestantise the whole of Ireland. J. K. L., in a prophetic letter to lord Farnham, warned him that his crusade would result in the failure of its object, the embittering of sects, and the gain of the Roman Church. "Many

Catholics, be assured, my lord, anticipate, and not without cause, that a number of those trees which, as they say, are now twice dead, will be enlivened and take root again, that many wandering stars which now travel unrestrained by any law will be fixed again in their orbit—that great numbers of men who are now tossed about by every wind of doctrine, will come to bend in the temples and adore before the altars which their fathers deserted.” There can be little doubt that it was the battle provoked by Protestant polemics in Ireland and the ability of the Catholic defence, that gave rise to the Tractarian movement at Oxford, with its immense train of consequences, and the secession to Rome of many of the gentry of Ireland. Dr. Doyle presented Roman theology in quite a new light, in the shape of apologetic evidence and essays addressed to the intelligence of England; and it is well known that the foundation of the famous “Tracts for the Times” was Sancta Clara on the Thirty-Nine Articles. The reply to Archbishop Magee’s charge was very biting and very able; it was written at the request of Sydney Smith, who wrote thus to Dr. Doyle:—“My dear lord, have you seen Magee’s last pastoral, teeming with poison and polemics, instead of peace and goodwill? If not, get it at once and answer it, for you are the only man in Ireland competent to do so. *There* he will find his match in ‘J. K. L.,’ and I will immolate the beast in the *Edinburgh Review*.”

In the following years Dr. Doyle continued to be the literary champion of the Catholic claims as O’Connell was their champion in action at home, and Plunket in parliament. All three were unrivalled in the discharge of their functions, but we doubt if Dr. Doyle did not do the greatest work of the three in converting England to more enlightened views about “popery.” The atmosphere was cleared of the clouds of passion and wrath, and the light of reason and charity shone through. Public opinion, without being generally won over to Romish doctrines, perceived in Rome, whatever its errors, a holy and Christian Church; and with this change of feeling the age of martyrs passed by in England. Dr. Doyle saw the fruit of his labours in 1829, and he did not take a part in the Repeal Agitation, although he refused to join its opponents, and expressed the opinion that a federal union would be more lasting and beneficial than a legislative. In 1831–32 his political abilities were directed to a legal provision for the poor, of which, in opposition to O’Connell, he was warmly in favour, and to the then prominent question of tithes. In the latter year, his health was so much on the decline, that he was obliged, to a great extent, to retire from labours not belonging to his office. He, however, gave evidence before a committee on tithes, and in a private interview with the marquis of Anglesey, the lord-lieutenant, brought him over to his own opinions, and induced him to write a remonstrance to the ministry, which was procured by Mr. Hume in 1834, and read to the House amid universal astonishment. One of Dr. Doyle’s last literary labours was writing a preface to Butler’s “Lives of the Saints.” In character he was described by the Roman prelate who preached in his memory as “a stern and upright man;” but it was added that his severity was reserved for the proud and great, and that he was tender and loving to the poor and humble. His letters to female friends and nuns show a



very different side to his character—one of delicacy and tenderness. In the private circle of his friends, he was genial, good-natured, and delightful; to the outer world, austere, dignified, and repellent. His last illness was borne with the hope and patience of a saint. He would receive the last sacraments lying on the bare floor—"Take this body of flesh and fling it on the floor," he said to his servant. At an open window, where he caused himself to be removed, that he might look out on the glories of the autumn scene, he expired peacefully and with a collected mind, having made the preparations prescribed by his church. More than twenty thousand people attended his funeral; the face worn by thought, and the form overborne by forty-eight years in which had been compressed the labours of threescore and ten, were gazed upon for the last time with awe and veneration by clergy and people in the great black-hung cathedral which he had built, and then buried under the centre aisle opposite the altar. He was one of three or four political writers of the first-class that Ireland has produced.

#### LORD PLUNKET.

BORN A.D. 1764.—DIED A.D. 1854.

THE grandfather and father of the great Irish Chancellor were distinguished ministers in the Presbyterian body; the latter particularly had a high reputation in Dublin as minister of the Strand Chapel, which was then the wealthiest and most important dissenting place of worship in Ireland; and he was remarkable in his day as a wit and a critic. A place was always kept for him in the Strangers' Gallery in the House of Commons, which was known long after his death as "Dr. Plunket's Stall." William Conyngham Plunket was the youngest of four sons and two daughters; he derived his second name from his mother's family, who held a respectable position in the town of Enniskillen. His father died when he was but fourteen years of age, and left behind little provision for his widow and the three children yet remaining at home—being two unmarried daughters and the youngest son. It was resolved, however, by the Strand Chapel congregation and friends of all denominations to raise a testimonial to Dr. Plunket's memory, in the form of a provision for his family; a large sum was collected, and Mrs. Plunket was thus placed in the same easy circumstances she had enjoyed during her husband's life. One son—Patrick—had already acquired name as a physician; and William was sent to a good school in Dublin, kept by the Rev. Lewis Kerr, where he made rapid progress with his studies. He formed a close friendship with a son of Councillor Yelverton (lord Avonmore), and was often invited to the house of that rising lawyer, who, seeing the manifest abilities of the boy, took a great interest in him, and directed his ambition to the bar. He was described at this time as a hard-headed boy, very attentive to his studies, and very negligent of his person. In 1779 he entered the University of Dublin, and took a high place at the entrance examination. His competitors were men of unusual ability, but he twice took the prize from his class, and gained a scholarship with very high marks.

It was in the College Historical Society, however, that his talents were most conspicuous. This famous debating club was then brilliant with several speakers of great promise—Bushe, Emmett, Tone, Magee, Miller, and Laurence Parsons—amongst all, although the unfortunate Emmett may have cast out brighter gleams, Plunket was by far the greatest light. His future was not doubtful; he had long made up his mind for the bar, and he was, it was plain to be seen by all men, a Lord-chancellor at college. It was an eventful time—one to stir a young man's intellect to its depths. The year of Plunket's entrance into the Historical Society, which contained many members of the Irish House of Commons, was 1782; and night after night he listened from the gallery to the eloquence of Grattan, who was at the climax of success, and, although he was no copyist of Grattan, the benefit cannot be doubted of having the ear attuned to a high strain. The successes which he gained in the Historical Society are thus summed up by his most recent and authentic biographer\* :—"In his second year of membership (1783) he was twice elected president, opened the following session with an address from the chair, and obtained successively the medals for oratory, history, and composition. When a favourite member of the Society (the Rev. Mr. Cleghorn) died, he was requested to deliver an eulogistic oration upon his virtues, and received a special medal for this service. He was also awarded an extraordinary prize for his essay, *A Defence of the Age*, which the Society determined to print, but the copy of it has been unfortunately lost." Among his brilliant compeers Plunket formed life-long friendships (besides others broken by political necessity) with Bushe, Magee, and Peter Burrowes. With the last-named brilliant, but somewhat eccentric lawyer, he continued his student life in London after keeping his law-terms in Dublin. Several other young Irishmen lived and studied for the bar in the same cheap lodgings in Lambeth, and whetted their wits against each other's. Probably the best off among them was the Hon. George Knox, who was a man of learning and ability, and afterwards represented Dublin University in Parliament; he seems to have been Plunket's great friend at this period. The correspondence between them, when Knox went to the Continent, shows the warmth of their friendship, thrown into relief by a strong dislike to one of the Lambeth party named N——; this individual is spoken of with a terrible severity and sharp edge of bitterness, highly characteristic, and the more formidable from its perfect gravity. There was much in Plunket's circumstances in early life to lay a stratum of moroseness which would be laid bare in later life, in a character naturally severe and masculine. He was enabled to pursue his studies, even conducted as they were with great economy, only by the help of his father's friends, and great sacrifices on the part of his mother and sisters, which must have grated still more painfully on his feelings, and made him appear mean in his own eyes. At one time, indeed, he seems to have resolved to give up the bar, but was persuaded by his sister not to give effect to this desperate resolution. The sacrifices of his relative were in this case to meet with a very different return from that which so often disappoints the

\* Life, Letters, and Speeches of Lord Plunket, by his grandson, the Hon. David Plunket, M.P.

self-sacrificing. His time seems to have been devoted to the severest study; he filled many a note-book with close analyses of his reading, and laid up in his wonderful memory stores of precedent and legal knowledge, which gave him a complete mastery of his profession. The ignorance which he found among Irish lawyers on joining the bar was naturally accounted for by their habits of dissipation and pleasure, which he immediately resolved to eschew. He thus writes to his friend Knox:—"I have not been able to read a word since I came home, and, indeed, it is almost impossible for any man who shares in the dissipation that prevails amongst the legal men here to do so. The taste for idleness and debauchery which pervades the whole profession would, in my opinion, be alone sufficient to account for the difference in the legal information of the two countries. I have, for my part, been obliged to make a serious resolution against supping out and sitting up late, for besides the time actually lost in it, it leaves me in a state of entire stupefaction for the whole of the next day. I have a course of hard reading and early rising in view, which, whatever malicious sneerers may think, I am in great hopes I shall be able to keep up to." With such resolves for his professional life, and the ample command of knowledge, and the iron two-handed sword of eloquence, which Plunket possessed, and, like Grattan, had practised upon the trees of Richmond Park,\* it would have been strange if he had not asserted immediate eminence amongst the easy-going, happy-go-lucky orators of the Irish bar, upon whose sluggish courts several men of similar calibre were just now breaking. He thus describes his professional *débüt* to his friend Knox:—"I made my first public exhibition about a fortnight ago in the Court of Exchequer, and gained a good deal of credit by it. I spoke after three on the same side had spoken before me, but was lucky enough to have the scheme of my argument, and most of the parts of it left untouched. R—— was present, and congratulated me very warmly."

The fame of the student made a stepping-stone for the man; there are many who fail to use it, or find it thrown beyond their reach, but Plunket stepped boldly over, and took the position of a first-rate and successful lawyer, whilst most men are living upon expectations. He was employed on the important election case of 1790, in which Provost Hutchinson was accused of having unfairly influenced the university election in favour of his own son. Two cases were clearly proved; one was an endeavour to bribe Plunket's friend Magee by permitting him to be a lay fellow and pursue his preference for the bar, a favour which had previously been denied him; the other was to procure the vote of Miller, author of the *Philosophy of History*, by promising the Provost's influence in his election to a fellowship, and a perusal of the questions which he intended propounding to the candidates. The latter was not so clearly brought home to the Provost. Hutchinson, owing to the absence of a member of the committee giving two votes to the chairman, besides his casting vote in the equality thus

\* He found the disadvantages of this kind of speaking:—"A man, you know, cannot throw out elegant personalities against himself; and, besides, to own the truth to you in confidence, I always found my first arguments so unanswerable that I never could produce a reply."—*Life by his Grandson*, vol. i. p. 44

established, had a fortunate escape; but Plunket and Burrowes did not leave him much upon which to congratulate himself beyond the bare acquittal, and both threw themselves out in great prominence. Plunket chose the north-west circuit, most of his connection lying in that direction, including Fermanagh, his native town. Strabane also lay in the circuit, and it was there that he formed an attachment to Catherine, daughter of Mr. John McCausland, with whom he was already connected by marriage through the family of the Conynghams. The great success he had at once attained in his profession warranted him in marrying at the comparatively early age of twenty-eight, and the issue of this marriage was five daughters and six sons; he lived to see all his sons in positions of influence and emolument, and in his later years to find them the stalwart props of his old age.

For several years he seems to have abstained from politics, and devoted himself entirely to advancing in the road of his profession. Bad lawyers generally take to politics from the outset, but Plunket had no ignorance to supplement, and no need to seek an indirect path to the eminence to which he was so fully entitled to on his legal merits. From 1787, when he was called, to 1798, when his professional position was fully established, he showed his political opinions only to his friends in social intercourse. Lord Plunket's character was cast remarkably in the Presbyterian mould; it was grave, stern, and free from all flaming enthusiasm, though full of inward fire; it was strictly limited by logic, and undistracted from its conclusions by feeling. The course of such a man in the politics of Ireland was clearly marked out; it was widely separated from the path of his friends Tone and Emmett, and equally distinct from the baser path of those who sought place, and place only. Nor did it lie with that of the place-holders more than of the place-seekers—the aristocratic party, who lived in their little world of selfishness, containing a few hundred monopolists. Plunket's political course was that of a man whose springs of action were in his intellect. His feelings were completely subordinated, as was evidenced by his sternness in severing the ties which bound him from boyhood to the two brilliant rebels just alluded to. Nor did his personal interests turn him from the path dictated by a determined reason. He was a hard-headed man, as he had been a hard-headed boy. His actions were governed by a steadfast law of conscience, which never gains so much credit as the irregular impulses of patriotism or pride. With an intelligent interest in politics, and his eyes thoroughly open to all that was occurring, and by daily intercourse acquiring a better knowledge of the politicians of his day than if he had been engaged with them in their public intrigues, “lawyer Plunket” persevered in his proper practice, and received a silk gown from lord Clare in 1797, and practised thenceforth chiefly in the Courts of Equity. Two years afterwards he was offered a seat in parliament for the borough of Charlemont; and after two long interviews with the old lord, in which their only point of disagreement was the Catholic question, he accepted it unshackled by any condition, and joined that gallant band of patriots who were then rising up to fight behind Grattan, Ireland's last fight. We have already mentioned how the one difference with the patron of his seat was reconciled in the following



year, when lord Charlemont acknowledged to his son that Plunket had prevailed over an old prejudice. On the great exigency of the moment, which was to defend the legislative independence of the country against the destruction with which it was menaced, all true men were in accord. The first efforts of the government were directed to gagging the press, by amending the Act 23d & 24th George III. relating to the publication of libels. Although there was much in the seditious journalism of the day to justify such a measure, Plunket saw that the proposed amendment of the law had a wider object, and opposed it in a speech in which he entered upon his opposition to the government. He succeeded in making the government modify the most important section of the Act, by reducing the security required from the publisher of a newspaper from £2000 to £500. On Sir Laurence Parson's motion for an inquiry into the mode of allaying the rising discontent, Plunket spoke on the side of the minority of 19 which supported the motion. He urged that the government had too long met the discontent, which was now breaking into treason, with repressive instead of alleviating measures. "You have stopped the mouth of the public by a Convention Bill—have committed the property and liberty of the people to the magistrate by the Insurrection Act; you have suspended the Habeas Corpus Act; you have had, and you have used, a strong military force—as great a force as you could call for; and there has been nothing that could tend to strengthen your hands or enable you to beat down this formidable conspiracy that you have not been invested with. What effect has your system produced? Discontent and sedition have grown threefold under your management. What objection, then, can you urge against trying another mode? If on trial it shall not be found to do good, you are only where you were; if it succeed, you have secured an inestimable benefit." Possibly it was too late for this advice to be taken. In the abstract, Plunket was right in arguing that the true way with a sensible people like those of the province he himself represented, was to meet French principles with English liberty; in practice, it was a moment for forcible suppression of rebellion, not for inquiry into its causes. During the course of the terrible outbreak which ensued, Plunket endeavoured on every occasion when opportunity offered to mitigate the vindictiveness of the loyal. He urged an indemnity from the public purse for those who, though innocent, had suffered loss by the injustice of magistrates; but unfortunately was unable to give this other aspect to the bill, by which the magistrates were indemnified for their illegalities. He showed his anxiety that justice should be done even to those whose acts he reprobated by sifting the evidence of witnesses against the rebels, and at the same time expressed indignation at the ingratitude of those prisoners whose lives were spared, but who endeavoured, from their prisons, to excite the people by manifestoes. When the fever of the rebellion passed by, it left the country pale and powerless at the feet of a bold and determined minister; it was then, when she lay in this position, that Plunket threw aside his caution and the usual coldness and moderation of his character, and showed a courage in opposition equal to that of the most heated partisan. We have seen how Shiel purposed in after days to use the strong language of his anti-union speeches against himself.

It was not merely in speeches that he attacked the looming spectre. The Lord-lieutenant's secretary, Mr. Cook, had written an anonymous pamphlet, entitled *Arguments for and against an Union considered*, to which Bushe replied in an ironical brochure, entitled *Cease your Funning; or, the Rebel Detected*, in which he pretended to consider the former as written by a member of the opposition, or a United Irishman, to discredit the government proposal. At the end of 1798, a newspaper was started, called the *Anti-Union*, to which Plunket, along with Bushe, Burrowes, Grattan, Smyly, and others, was a chief contributor. In the third number of this journal appeared a letter to the editor, signed "Sheelagh," which is, we believe, the only article identified as Plunket's. In this composition Sheelagh, representing Ireland, is a young woman condemned to a union with an old gentleman named Bull. She is descended of an ancient family; but, owing to the folly of her ancestors, thrown upon the world with little but good health and temper. With this she has set up in trade, but encounters the jealousy and ill-nature of a distant relation, who has taken advantage of the condition in which she was left in infancy to assert pretensions to treat her as a dependant. The only foundation of his claims was that they held under a common landlord; but her better position for trade, and the probability of her taking away his customers, alarmed all his bad feelings. He insisted, therefore, on having the management of her affairs, in order that they might be carried on at a disadvantage. She successfully resisted such pretensions; but Mr. Bull's circumstances having become embarrassed by litigation, principally through the ill-temper of a head clerk, who had led his employer a dance of the wildest expenditure, he is reduced from a reasonable and affluent man to a wretched and beggared invalid. In this position the adventurer determines to conceal the effects of his own bad management by getting possession for the old gentleman of Sheelagh and all her property. He employs a scullion of Bull's, who calls himself a cook, to excite dissension amongst the family. "This person," Sheelagh says, "I was prevailed on to hire as a shop-boy, though he was very ragged, and had no discharge to produce; and notwithstanding his being very useless, and very saucy, yet having taken him through folly, I kept him through charity; but bitter cause, indeed, have I to repent my indiscretion in this particular, for I have discovered that this wretched creature, though he neither knows how to speak or write, yet by the force of impudence and cunning, and by means of a false key to my till, he has been able to corrupt many of my domestics." This being had sown dissensions among the servants, arraying them some in orange and some in green, and putting them one against another, and inciting them to deadly quarrels in order to reduce their mistress to such a wretched plight that she would be compelled to marry Mr. Bull; and most infamous of all, he had actually published an advertisement that she had been debauched by him, and lived for many years in gross prostitution. "But, Sir, conceive, I beg of you, the ridiculousness of this overture—I to marry Mr. Bull! Mr. Bull, whom, in the year 1783, when he was tolerably vigorous and reasonably wealthy and well reputed, I would have rejected with contempt! Mr. Bull, now that he has had repeated attacks of the falling-sickness, and that a commission

of bankruptcy is ready to issue against him! I could not have believed the proposal serious, if the old gentleman himself had not gravely avowed it! Hear, I beg of you, the inducements he holds out to me. There is to be no cohabitation, for we are still to live on different sides of the water—no reduction of expenses, for our separate establishments are to be kept up—all my servants are to be paid by me, but are to take their orders from him—the entire profits of my trade are to be subjected to his management, and applied in discharge of his debts—my family estates to be assigned to him without any settlement being made on me or my issue, or any provision for the event of a separation. He tells me, at the same time, that I am to reap great advantages, the particulars of which he does not think proper to disclose; and that, in the meanwhile, I must agree to the match, and that a settlement shall hereafter be drawn up agreeably to his directions and by his lawyers. This you will say is rather an extraordinary *carte blanche* from an insolvent gentleman, past his grand climacteric, to a handsome young woman, of good character and easy circumstances. But this is not all; the pride of the negotiation is equal to its dishonesty, for though I am beset and assailed in private, and threatened with actual force, if I do not consent to this unnatural alliance, yet, in order to save the feelings of the Bull family, and to afford a pretext for an inadequate settlement, I am desired, in despite of all maidenly precedent, to make the first public advances, and to supplicate, as a boon, that he will gratify my amorous desires and condescend to receive me and my appurtenances under his protection. Still one of the principal features of this odious transaction remains to be detailed. Would you believe it, that this old sinner, several years ago, married a lady who, though of harsh features and slender fortune, was of honourable parentage and good character, and who is at this hour alive, and treated by him with every mark of slight and contumely; and it is worthy of observation, that many of the clauses in the articles which were very carefully drawn up previous to his marriage with this lady have been scandalously violated by him. The truth is, I am determined to live and die a maiden;" and she concludes by saying, that though she does not wish to listen to the advice of those who bid her fly into a passion, and break Bull's windows, and tar and feather his shop-boy (though the latter part held out strong inducements), she was resolved, if peaceable means failed, "to repel force by force."

In the debate on the Address in January 1799, ministers attempted to outface the accusation of bribery. When Mr. Barrington (afterwards Sir Jonah) implied that lord Castlereagh had been guilty of dishonourable practices, several ministerialists interrupted him, and threatened to move that his words be taken down; Plunket rose and promised to repeat the accusation in stronger language, but said that he had no idea of permitting the freedom of debate to be controlled by such frequent interruptions. Shortly after, Mr. Corry formally moved that a still more unmistakable expression should be taken down; but on Plunket's reminding him that the house would then be committed to an inquiry, the motion was prudently dropped. The promise of still stronger language was faithfully kept. It was between six and seven o'clock in the morning when he rose to reply to Castlereagh, in a

speech which, owing to the emotions of speaker and listeners, and the extraordinary importance of this question of national existence, as well as the intrinsic merits of the speech itself, and the surprise caused by the first display of his powers in the senate, produced a greater impression than any subsequent effort. He said he would make no apology for troubling them at that late hour, exhausted though he was in mind and body, and suffering though they must be under a similar pressure. Having congratulated the house on the certainty of victory which he derived from the words and aspect of his own side, and saw confirmed in the doleful and discomfited faces of the miserable group before him, he said that he must also congratulate them on the candour of the noble lord who had exposed the project in its naked hideousness and deformity. It was not the rebellion, or any temporary cause; but the condition of slavery was engrafted on the principle of their connexion, and by the decrees of fate Ireland was doomed a dependent colony from her cradle. Having repudiated this imputation, he cautioned the house against supposing that by adopting the address it would not be, as Castlereagh asserted, committed to the measure in any future stage; and he asserted that now, if ever, was the time to make their stand. He continued thus:—"But, Sir, the freedom of discussion which has taken place on this side of the house has, it seems, given great offence to gentlemen on the treasury bench. They are men of nice and punctilious honour, and they will not endure that anything should be said which implies a reflection on their untainted and virgin integrity. They threatened to take down the words of an honourable gentleman who spoke before me, because they conveyed an insinuation; and I promised them on that occasion, that if the fancy for taking down words continued, I would indulge them in it to the top of their bent. Sir, I am determined to keep my word with them, and I now will not insinuate, but I will directly assert, that base and wicked as is the object proposed, the means used to affect it have been more flagitious and abominable. Do you choose to take down my words? Do you dare me to the proof? Sir, I had been induced to think that we had at the head of the executive government of this country a plain, honest soldier, unaccustomed to and disdaining the intrigues of politics, and who, as an additional evidence of the directness and purity of his views, had chosen for his secretary a simple and modest youth, *ingenui vultus ingenuique pudoris*, whose inexperience was the voucher of his innocence; and yet I will be bold to say, that during the viceroyalty of this unspotted veteran, and during the administration of this unassuming stripling, within these last six weeks a system of black corruption has been carried on within the walls of the castle which would disgrace the annals of the worst period of the history of either country. Do you choose to take down my words? I need call no witness to the bar to prove them. I see two right honourable gentlemen sitting within your walls, who have long and faithfully served the crown, and who have been dismissed because they dared to express a sentiment in favour of the freedom of their country. I see another honourable gentleman who has been forced to resign his place as commissioner of the revenue, because he refused to co-operate in this dirty job of a dirty administration. Do you dare to deny this?



I say that at this moment the threat of dismissal from office is suspended over the heads of the members who now sit around me, in order to influence their votes on the question of this night, involving everything that can be sacred or dear to man. Do you desire to take down my words? Utter the desire, and I will prove the truth of them at your bar."

In the indignation excited by such means, he saw the defeat of the measure. He rejoiced that it was in the hands of one who might imitate the vices of his master, Pitt, but had not the towering intellect and the vastness of his resources. "I thank God that it is much more easy for him to transfer his apostacy and his insolence than his comprehension and his sagacity; I feel the safety of my country in the wretched feebleness of her enemy. I cannot fear that the constitution which has been founded by the wisdom of sages, and cemented by the blood of patriots and of heroes, is to be smitten to its centre by such a green and sapless twig as this." After urging the incompetence of parliament and other arguments with which the reader of previous memoirs is familiar, he concluded with a famous passage regarding himself, which reads curiously afterwards in the bathos of realities. "Yet, Sir, I thank the administration for this measure. They are, without intending it, putting an end to our dissensions. Through this black cloud which has collected over us, I see the light breaking in upon this unfortunate country. . . . They have united every rank and description of men by the pressure of this grand and momentous subject; and I tell them that they will see every honest and independent man in Ireland rally round her constitution, and merge every other consideration in his opposition to this unjust and odious measure. For my part, I will resist it to the last gasp of my existence and with the last drop of my blood; and when I feel the hour of my dissolution approaching, I will, like the father of Hannibal, take my children to the altar and swear them to eternal hostility against the invaders of their country's freedom. Sir, I shall not detain you by pursuing this question through the topics which it so abundantly offers. I shall be proud to think my name shall be handed down to posterity in the same roll with those disinterested patriots who have successfully resisted the enemies of their country. Successfully, I trust, it will be. In all events, I have my exceeding great reward; I shall bear in my heart the consciousness of having done my duty, and in the hour of death I shall not be haunted by the reflection that I have basely sold or meanly abandoned the liberties of my native land. Can every man who gives his vote on the other side this night lay his hand on his heart and make the same declaration? I hope so. It will be well for his peace. The indignation and abhorrence of his countrymen will not accompany him through life, and the curses of his children will not follow him to his grave."

This speech of the stern north country lawyer produced an immense effect at the time, and should be read in the light of the moment. As well might we expect a lover's passionate vows to tally exactly with the sober realities of his married life, or to bear quotation when the bride has changed into a middle-aged mother, as put Plunket's Union speeches in contrast with his after career. It was made a taunt

against him that, instead of leading his sons to the altar and devoting them, like Hannibal, to the disreputable calling of unsuccessful rebels, he led one of them to the altar to be consecrated an English ascendancy bishop, another to be a dean, a third a vicar, and others to hold valuable posts connected with the administration of the laws of the United Kingdom, while Hamilcar himself mounted the woolstack. Such taunts may be good jokes; but as grave charges of inconsistency, they are simply absurd. The words were dictated by the feelings of the moment. The man who, at the time, was sacrificing his own prospects, and incorruptible by offers which Bushe said "bewildered" him, felt that he could devote his children to a similar resistance; but when resistance had failed, and the measure had long been carried, and it had become as hopeless to recover a separate legislature for Ireland as to bring back the shadow in the dial, those passionate promises were fortunately not equally irrevocable. Plunket, like a reasonable man, having nobly done his duty to his country in a crisis of great temptation, and passed through an ordeal which for ever established his political purity, was bound in the new order to provide for his family, and to take for them and for himself whatever he could honestly obtain. Kicking against the pricks of accomplished facts is dooming ourselves to an impracticable and useless, and probably mischievous, course of action, in which we are sure to be ourselves the principal sufferers. We cannot again go through the history of the Union; it is sufficient to say that, throughout of the whole struggle, Plunket led the van. For such a biting tongue there was terrible opportunity in the bribed ranks opposite, and the band of seducers that occupied the treasury bench. The traitors were thoroughly afraid of him; and when attacked by some too adventurous ministerialist, that keen visage assumed a "curled sneer, which, as a legion offensive and defensive, was prepared for any enemy," and made the assailant falter like a wounded man. Plunket stood arraigning the baseness and corruption of the last Irish parliament amid a storm of cries of "order" and noisy interruptions, at the final moment when the galleries were cleared and the public were excluded from the scene of tumult and recrimination. When strangers were once more admitted, all was over; the Union was carried, the opposition benches were empty, those great men who had but now been collected in a phalanx of genius and patriotism had seceded and were scattered for ever—some to reappear as units in the English parliament, others, who had had enough of politics, to rise in their professions or to seclude themselves in private life.

Plunket, as he had abstained from politics during his first ascent at the bar, determined to devote himself for the future entirely to the more profitable profession of using the laws instead of making them. He could not resolve upon this for a while. For some weeks he thought of canvassing the university of Dublin, and embarking in a struggle for repeal; but calmer consideration convinced him that repeal meant separation, and that this could only be achieved through the impossible success of a civil war. He was that kind of man who is seldom baffled, and showed the rage of a victor under defeat. In this instance, however, he soon saw that there was nothing for it but submission, and in this he was as resolute as in his resistance. Three years later, years

employed by Plunket in toils and excitements of a great lawyer, an attempt was actually made to sever the connexion. He was then, instead of being one of its partisans, engaged, in his professional capacity, on the prosecution. He was retained, with O'Grady and McClelland, the attorney and solicitor generals, on all the trials arising out of the *emeute* of 1803; and it was only as they advanced that it became evident that Robert, the younger brother by sixteen years of his old friend Thomas Addis Emmett, was the heart of the conspiracy. For ten years Plunket had not spoken to the elder brother; but it was undoubtedly painful to him to find himself obliged to take a part in this trial. He was entrusted with the task of speaking upon the evidence, and he ably fulfilled the object which he had in view of "pointing out the folly and wildness, as well as the wickedness, of the conspiracy that at the time existed." When, several months after, he accepted the office of Solicitor-general, which was conferred upon him solely on the ground of his extraordinary merits, this was made the occasion for opening upon him the floodgates of radical scurrility and abuse. Cobbett published a libellous account of the transaction, for which Plunket sued him, and obtained £500 damages. He completely cleared his conduct from all imputation; but amongst all the distinguished and illustrious men whose friendship he enjoyed, it had never for a moment obtained foothold. In 1805 he was appointed Attorney-general under Pitt's administration, and continued in that office under the ministry of "all the talents." Whilst he held it under the Tories, it was "simply," as his grandson states, "as the professional servant of the crown;" but "when under the administration of lords Grenville and Howick, the Attorney-generalship had assumed a parliamentary and party character, he did not hesitate to resign it, and followed his leader into fifteen years' exile from power." Lord Grenville was very anxious for his assistance in parliament, but Plunket felt how incompatible with a proper discharge of his office, and how derogatory to it in the truest sense, would be the precedent his compliance would create. He was obliged, however, to yield; and having become politically involved with the Whig government, could not accept the duke of Portland's offer that he should hold his place under the Tories. This is the substance of the reason which Plunket gave at the time for resigning office. The following extract from a letter of lord Redesdale shows the opinion which high-minded men formed of the justness of his conduct:—

"I cannot express to you the regret which I feel at your final determination to resign your office. I feared the consequences of your having been prevailed upon to accept a seat in parliament, from which it had been my particular wish that the law officer of the crown in Ireland should be exempted; and when urged by Mr. Wickham, I had strongly objected to it as highly injurious to the individuals, and tending to make the bar of Ireland again a field for political interest; and to render promotion the reward of political services, instead of being the reward of those professional labours which best qualify men for the highest legal situations."

Plunket's tenure of the seat in parliament, which thus compelled him to resign his legal office, lasted only for two months. He was elected

for Midhurst in 1807, by the influence of the Grenville party, but did not offer himself for re-election when the dissolution took place in April. In the short interval, he made one speech on the Catholic claims, of which there is no tolerable report; but Mr. Whitbread said of it, speaking in the following year, "that it would never be forgotten." He did not return to parliament until 1812; but gave himself wholly up to his profession, and was in receipt of the largest income ever made by an Irish lawyer. Little or no record remains of his many great speeches at the bar, which were almost entirely extempore, and often delivered with the least possible preparation. He had a great dislike to writing, and indeed to all drudgery of preparation. His briefs were read driving in from Old Connaught, his residence near Bray. There were instances in which he learned the facts of some heavy case in chancery from a junior, walking down to court; and then stood up and completely overwhelmed his opponents, convinced the chancellor, and amazed his own colleagues by arguments and points which they with diligent study and consultation had failed to see. His chief practice, we have before observed, was in the nobler task of arguing before the judges; but when he undertook to plead before a jury, his dignified, grave, and earnest manner made what might be commonplace in a report weighty and telling in delivery; and his power of cross-examination was something terrible—to undergo it was as it were falling into the hands of a grand inquisitor. Among the lawyers whom he had to encounter, Bushe was the compeer whom he met on the most equal terms. In the case of *The King v. O'Grady*, in which Plunket and Burton were opposed to Bushe and Saurin, Bushe defended his colleague from an attack which had been levelled at him for instituting the proceedings. They were directed against Chief-baron O'Grady for appointing his son to the clerkship of the pleas in his own court, which, they contended, was in the gift of the crown. After many compliments to Plunket, as one on whose accents the listening senate hung, and one of the most illustrious individuals in the country, standing on a height from which censure fell heavily indeed, he called upon him, if he believed the prosecution was really so revolutionary and Jacobinical, to proceed further, and to impeach it before the Commons. If he did so, and there contended that they were offering disrespect to what he called the adjudication of the Court of Exchequer, in a case where one party was not present and the other presided, the very walls of Westminster would utter forth a groan, and the shades of Mansfield, of Somers, and of Holt would start forth from their tombs to rebuke such an insult to their judicial character. If so, he predicted to this Wellington of the senate that he would do so at the peril of his laurels, for they would wither at the root. Plunket's reply to this counter attack is so excellent an example of his extempore power of rhetoric, which is the only quality that can be exhibited in such brief extracts as we have space for, that we offer it to the reader as a specimen:—

"The Solicitor-general having passed upon me some most extravagant compliments, which no man can suppose I would be such an egregious dupe of inordinate vanity as to receive as merited, then calls upon me to step over to Westminster Hall and to desire the House of Commons



to decide whether this was a judicial act or not ; and if, under the influence of this extravagance of praise, my head were to be so completely turned that I should actually go to St. Stephen's Chapel for the purpose, he then tells me that the very monuments would yield up their illustrious dead, and the shades of Mansfield and of Somers, of Holt and of Hale, would start from their tombs to rebuke the atrocious imputation. If I had been such a madman as to adopt the suggestions of my learned friend, and introduce in such a place the descriptions of a legal point depending in the Court of King's Bench in Ireland, the shades of those illustrious people, if they had any taste for the truly ridiculous, might have stepped down to amuse themselves by seeing an Irish lawyer performing the part of Malvolio, cross-gartered and in yellow stockings, the victim of egregious vanity and folly. But if they had thought fit to deny that the swearing in the officers by the Court of Exchequer was a judicial act, I should have prayed in aid the shade of Sir Joseph Jekyll, who calls such an admission, in terms, a judicial act ; I should have called on the shades of the learned judges who decided the cases in the Year Book of 9 Ed. IV. c. 6 ; in Dyer 149 A. 150, 6 ; and in 1 Anderson, 152. If these venerable spectres had not availed me, I should have called for the substantial assistance of the Solicitor-general himself, who, after a variety of splendid and figurative language, such as the rich imagery of his fancy supplied, ended at last by admitting it to be a judicial act. All these authorities I should have cited to the apparitions of lord Somers, lord Mansfield, and lord Hale. But to lord Holt I would say, You are the most impudent ghost that ever visited the glimpses of the moon, for you yourself did in your lifetime the very thing which you now start up to rebuke. My lords, the Solicitor-general has predicted that my laurels are foredoomed to wither at the root. I do not think I can lay claim to any laurels ; and I am conscious that if I ever put forth the leaves, they are already upon the sere. But, notwithstanding what has fallen from the Solicitor-general, I believe he would be disposed rather to regret their fall than to rejoice at any untimely blight which stripped them off before their natural decay. What he has said has not excited any resentment in my mind. As to the expressions 'revolutionary' and 'Jacobinical,' he must know that they were not applied by me, personally, against any individual, but to a proceeding that appeared to me wholly unwarrantable in its nature and tendency. As to the Solicitor-general personally, I had no reason (nor have I at this moment) to believe that the proceeding was at all advised by him."

During this interval of purely professional life, Plunket received several pressing invitations to return to parliament. In 1808 the Hon. George Ponsonby was authorised by lady Downshire to offer him the representation of the borough of Newry. In the following year lord Grenville conveyed the offer of a seat for one of his boroughs from the duke of Bedford. Plunket was resolved not to re-enter parliament until he should have amassed a sufficient competence to repose upon ; but by the death of Dr. Patrick Plunket, in 1812, he came in for a bequest of £60,000, which at once placed him in the position he desired, beyond the necessity of unremitting attention to business. This enabled him to accept a seat, but it was difficult to extricate him-

self from the tremendous trammels of legal practice; and he did not therefore take an active part in the House until the Catholic question came on again. This was in 1813. In the beginning of the year, lord Grenville had exonerated him from attendance; but in February Grattan moved for a committee to inquire into the laws affecting the Roman Catholics, and Plunket was in his place to support the motion. His speech was a memorable one; all the speakers who followed on both sides spoke of it with admiration; and lord Castlereagh, who, when they had last met in debate, thirteen years before, had received such a terrible punishment, and had been described as "a green and sapless twig"—a description which had a peculiar significance—forgot his injuries in generous praise of his opponent's speech, which, he said, "could never be forgotten." Plunket was a man to be touched by such nobleness; and afterwards, when writing to Sir Walter Scott, who, when in Ireland, had been his guest at Old Connaught, to acknowledge his *Life of Napoleon*, he expressed pleasure at his kindly treatment of "poor Castlereagh." Plunket's next achievement in the House was an attack upon the speaker (Abbott), in which he supported lord Morpeth's motion for a vote of censure upon that functionary. Grattan's bill had been carried; but in committee the speaker had got a clause introduced which made the bill worthless, forbidding Roman Catholics to sit in either House. In addressing the Prince-regent at the end of the session, from the bar of the House of Lords, the speaker had made observations on the Catholic question which implied that it was a cause finally lost, and were conceived to reflect improperly upon the advocates of the measure. Plunket's speech was made more personal by being directly addressed to the speaker, whom he, in his severest manner, rebuked for presumption in expressing unauthorised opinions as the mind of the House, and as it were inviting the crown to interfere in a subject which was under the consideration of the Commons. He concluded a speech, which in itself was a censure that no majority could efface, by remarking on the unhappy taste of mixing up congratulations on the peninsular victories of Wellington with those uncalculated allusions to the bonds of his Roman Catholic countrymen. "When you adverted to the splendid victories of our illustrious commander, who has gained such transcendent fame, . . . was that a well-chosen moment, Sir, to pronounce the irrevocable doom of those who, under their immortal commander, had opened the sluices of their heart's blood in the service of the empire? It was the custom in Rome to introduce a slave into their triumphal processions, not for the purpose of insulting the captive, but to remind the conqueror of the instability of human glory. But you, Sir, while you were binding the wreath round the brow of the conqueror, assured him that his victorious followers must never participate in the fruits of his valour." The victors were in this instance made to do duty for the slave instead of sharing in their commander's triumph. Plunket soon asserted himself as a great power in the House, and by his gift of extempore speaking made himself a master of debate. He was a rather frequent speaker, without being so much before the House as to grow commonplace, or be dreaded as a lecturer. His speeches on the renewal of the war and the Peterloo massacre, as it is ridiculously called in history, were among the happiest of his

efforts, and on those occasions he spoke in alliance with the Tory party and against the extreme Liberals. On the latter occasion his powerful and judicial speech was exceedingly valuable to the ministry. Lord Dudley and Ward thus described it to the bishop of Llandaff:—"By-the-by, he (Plunket) has cut a great figure this year. His speech in answer to Mackintosh was among the most perfect replies I ever heard. He assailed the fabric of his adversary, not by an irregular damaging fire that left parts of it standing, but by a complete, rapid, systematic process of demolition, that did not leave one stone standing upon another." The critics of the day remarked the more than English plainness of his speeches; they had the severity which, when combined with strength, constitutes, to the taste of the Anglo-Saxon, the most perfect oratory. The Englishman loves strength rather than beauty, naked muscle better than grace of form. Lord Lytton's portrait of Plunket, in the poem called "St. Stephen's," from which we quoted another admirable description in our memoir of O'Connell, is particularly forcible and truthful:—

" But one there was to whom, with joint consent,  
 All yield the crown in that high argument.  
 Mark where he sits : gay flutterers round the bar  
 Gathering like moths attracted by the star.  
 In vain the ballet and the ball invite,  
 E'en beaux look serious : Plunket speaks to-night.  
 Mark where he sits, his calm brow downward bent,  
 Listening, revolving, passive, yet intent.  
 Revile his cause, his lips vouchsafe no sneer ;  
 Defend it, still from him there comes no cheer,  
 No sign without of what he feels or thinks—  
 Within slow fires are hardening iron links.  
 Now one glance round, now upward turns the brow,  
 Hushed every breath, he rises, mark him now—  
 No grace in feature, no commanding height,  
 Yet his whole presence fills and awes the sight.  
 Wherefore ? you ask. I can can but guide your guess—  
 Man has no majesty like earnestness.  
 His that rare warmth—collected central heat,  
 As if he strives to check the heart's loud beat,  
 Tame strong conviction and indignant zeal  
 And leave you free to think as he must feel.  
 Tone slow, not loud, but deep-drawn from the breast—  
 Action unstudied, and at times supprest ;  
 But as he neared some reasoning's massive close  
 Strained o'er his bending head his strong arms rose,  
 And sudden fell, as if from falsehood torn  
 Some grey old key-stone, and hurled down with scorn.  
 His diction that which most exalts debate,  
 Terse and yet smooth; not florid, yet ornate;  
 Prepared enough, long meditated fact,  
 By words at will made sinuous and compact,  
 With gems the genius of the lamp must win,  
 Not scattered loose, but welded firmly in,  
 So that each ornament the most displayed  
 Decked not the sheath, but hardened more the blade.  
 Your eye scarce caught the dazzle of the show  
 Ere shield and cuirass crashed beneath the blow."

The same instinctive power which lord Brougham remarks he possessed of "marshalling his propositions in such an order that you must

assent to them successively, and were not aware how you had been drawn on to the conclusion he desired to make you adopt, until you found it in the last stage of the process"—a process which amounted to a sort of natural crystallisation of arguments—accompanied him into parliament, and made him recognised as more than an initiated member of the guild of genius—a great man amongst the great, the admiration of the admired. What particularly pleased the critical was that he did not speak to win admiration; his brilliancies were, as Brougham again observes, "sparks thrown off by the motion of the engine, not fireworks to amuse by their singularity or please by their beauty." And this unconsciousness generally receives its reward, for it does not awaken the jealousy of those who are themselves seeking after fame. We have already noticed the effect upon the Catholics of the peace of 1814. Mr. Plunket says, "that class of politicians whose ears were open to arguments based upon expediency, but deaf to those founded upon justice, relapsed into indifference on the question of emancipation. There was no longer reason for apprehending that the discontent of the Irish Catholics might develop any consequences physically formidable to the empire; and a complete apathy regarding their claims settled down upon a large portion of the English people." The split upon the subject of the *Veto* deprived the Catholic board of its aristocratic leaders, and it was in a short time cast away amid the noisy surges on which it rushed when left to its own guidance. Grattan had the discouragement of advocating a bill not accepted by those in whose interest it was framed, and the opponents of Catholic relief had in this a powerful vantage-ground. Plunket and other friends of emancipation were held back by the hopelessness, under such circumstances, of advancing the cause, and by a strong opinion in favour of the rejected *Veto*. In 1820 Grattan expired, and almost his last words were with regard to the paper on the Catholic claims drawn up by his son. He said, on hearing it read over, "It will do; I should wish it to be read over in the House; give my love to Plunket—he will do it." Well and truly did Plunket perform the bequest of his friend, of whom he long afterwards said, reviewing the intimacies of his past life, that Grattan was the "greatest and best man" he had ever known. In proposing young Grattan to succeed his father in the representation of the city of Dublin, Plunket showed an emotion which was startling in such an outwardly stern and self-controlled man. He burst into tears when commencing his speech, and was several times stopped in it by an emotion shared by his audience. He did not, however, see any chance of carrying the measure which had thus devolved upon him as a sacred trust; but in 1821, on the question being again brought forward, he delivered a speech which Sir Robert Peel said stood the highest in point of ability of any ever heard in the House, combining the rarest powers of eloquence with the strongest powers of reasoning. We cannot give any idea, by extracts or summary, of this speech; for although speeches are the events in the life of a public speaker, detached passages are not sufficient, like geological specimens, to bring before us a stratum of eloquence, and the skeleton of a speech is unsightly. The following is, however, so interesting, as bearing on questions which more and more occupy the attention of the present day, that it is worthy of quotation on its own account:—



“Again, if we are to denounce, why denounce only one particular sect of Christians? Why not Socinians? Why not those who deny the divine nature of our Lord? Why select those who believe all that we do, merely because they believe something more? Why not Jews, Mahometans, pagans? Any one of these may safely make the declaration, provided he is willing to commit the breach of good manners which it requires. He may not only deny our God and our Redeemer, but he may worship Jupiter or Osiris, an ape or a crocodile, the host of heaven or the creeping thing of the earth; let him only have a statutable horror of the religion of others, and agree to brand with the name of idolatry the religion of the great part of the Christian world. But further, if the Roman Catholic religion is to be singled out as that, by the common bond of hatred to which we are all united in the ties of brotherly love and Christian charity, why select only one particular article of their faith, and say that the sacrifice of the mass is impious and idolatrous. Why leave them their seven sacraments, their auricular confession, their purgatory, all equally badges of superstition, evidences of contumacy, and causes of schism? Why make war exclusively upon this one article? We all declare solemnly that we consider the sacrifice of the mass as superstitious and idolatrous. Now I entreat each member of this House to suppose that I am asking him as a private gentleman, does he know what is said or meant or done in the sacrifice of the mass; or how it differs from our own mode of celebrating the communion, so as to render it superstitious and idolatrous? If I could count upon the vote of every member who must answer me that upon his honour he does not know, I should be sure of carrying by an overwhelming majority this or any other question I might think proper to propose. Were I now to enter on a discussion of the nature of these doctrines, every member would complain that I was occupying the time of statesmen with subjects utterly unconnected with the business of the House or the policy of the country. Can there be a more decisive proof of its unsuitableness as a test? Still, even at the hazard of being censured for my irrelevancy, I must venture one or two observations on the point denounced. It is important that I should do so, because the truth is that at the Reformation the difference between the two Churches on this point was considered so slight and so capable of adjustment that it was purposely left open. Our communion service was so framed as to admit the Roman Catholics; and they accordingly, for the first twelve years of Elizabeth’s reign, partook of our communion, and there is nothing to prevent a conscientious Roman Catholic doing so at this day. The sacrament of our Lord’s Supper is by all Christians held to be a solemn rite of the Church, ordained by its Divine Founder as a commemoration of His sacrifice, and most efficacious to those who worthily receive it with proper sentiments of gratitude and contrition; so far all Christians agree, and we are on the grounds of Scripture and of common sense; but beyond this the Roman Catholic is said to assert that the body of our Lord is actually present in the sacrifice. Now, this in the only sense in which I can affix a meaning to it I must disbelieve. It is contrary to the evidence of my senses, and to the first principles of my reason; but the Roman Catholic states that he does not believe the body of our Lord to be

present in the eucharist in the same sense in which it is said to be in heaven, for he admits that the same body cannot be in two places at the same time, but it is present in a sense—the council of Lateran says sacramentally present. Now what this sense is, I own, baffles my faculties. The proposition which states it I can neither affirm nor deny, because I cannot understand it any more than if it was laid down as a dogma that it was of a blue colour, or six feet high. I feel satisfied, as a sincere Christian, resting on Scripture and reason, that it is not necessary for me to involve myself in these mysteries; and of this I am sure, that I should act a very unchristian as well as a very ungentlemanlike part, if I were to join in giving foul names to the professors of this to me incomprehensible dogma. Whether it is a fit subject for polemical controversy I will not pretend to say. Queen Elizabeth certainly thought it was not, and forbade her divines to preach concerning it; and they thought her judgment too good on such points not to render an implicit obedience to her commands. I will beg leave, Sir, to read a short extract from Burnet's *History of the Reformation* bearing on this point:—‘The chief design of the queen’s council was to unite the nation in one faith, and the greater part of the nation continued to believe such a presence (the Real Presence), therefore it was recommended to the divines to see that there should be no more express definition made against it; that so it might be as a speculative opinion, not determined, in which every man was left to the freedom of his own mind.’ Such were the opinions of Queen Elizabeth, the founder of the Reformation. Perhaps no monarch ever swayed the British sceptre who had so profound an acquaintance with the royal art of governing. To the Protestant religion certainly no monarch ever was more sincerely and enthusiastically attached. On the truth of these opinions she hazarded her throne and life. But she respected the opinions and the sincerity of others, and refused to make windows to look into the hearts of her subjects. She (Queen Elizabeth), the founder of the Reformation, altered the Liturgy, as it had been framed in the reign of Edward the Sixth, striking out all the passages which denied the doctrine of the Real Presence; and this for the avowed purpose of enabling the Roman Catholics to join in communion with the Church of England; and I am to be told that this was done in order to let in idolaters to partake of and to pollute our sacrament? But it seems some of the divines of our day are better Protestants than Queen Elizabeth. If she were alive, I should be curious to see them tell her so. Indeed, Sir, these things are calculated to injure the cause of true religion. The Christian is a meek and well-mannered religion, not a religion of scolding and contentious reviling; it is an outrage on that religion, and a dangerous attack upon its evidences, to say that the mission of its Divine Founder has hitherto served only to establish superstition and idolatry among mankind, and that, except for a favoured few, His blood has been shed in vain. In whatever point of view we turn this question, the absurdities increase upon us. We have legalised their religion and the sacrifice of the mass; and if that is idolatrous, the King, Lords, and Commons are promoters of idolatry. By the same Act we excuse him from coming to our Church only on condition of his going to mass; that is, we inflict on him penalties

which are to be remitted on the express terms of his committing an act of idolatry. By the same Act we inflict penalties on any person who disturbs him in the exercise of his idolatry. In Ireland, we admit him to the magistracy and to administer the laws of the Christian country, requiring from him, as a preliminary condition, his oath that he is an idolater. When we reflect on this, we remember that we have established their religion in Canada, and that we are in close alliance for the purpose of protecting religion and morals with great nations professing the Roman Catholic religion, is it not obvious that the perseverance in such a declaration is calculated to bring our religion and our character into contempt, and to make thinking men doubt the sincerity of our professions? Whatever may be the fate of the other part of this question, I cannot bring myself to believe that this outrage upon the religious decencies of the country will be suffered to remain on our statute-book."

"I wish you had heard Plunket," said lord Dudley and Ward to his friend the bishop of Llandaff. "He had made great speeches before, but in this he far surpassed them all. I have not for many years heard such an astonishing display of talent. His style is peculiar for its gravity and severity. I prefer it to all others of which I ever heard a specimen. If he had been bred in parliament, I am inclined to think he would have been the greatest speaker that ever appeared in it." The committee for which he moved was carried by a majority of six. The Catholic Relief Bills were brought in on the 16th of March, and a Roman Catholic petition against them, which was signed by the celebrated Dr. Milner, and took the ground of the danger which would accrue to the Roman Catholic religion from bridging over the gulf of hatred that divided Romans from Protestants, gave Plunket occasion for a famous invective against bigotry, whether Protestant or Catholic:—"True to its aim, though besotted in its expectations—steady to its purpose, though blind to its interests—for bigotry time flows in vain. It is abandoned by the tides of knowledge, it is left stranded by the waters of reason, and vainly worships the figures it has imprinted on the sands, soon to be washed away. It is inaccessible to reason—it is irreclaimable by experience." The two Bills, one containing the boon, the other the securities, passed their second reading under the management of Plunket; but at this stage the death of his wife obliged him to return suddenly to Ireland, and made him unfit to undertake any public business for many months. His love for Mrs. Plunket had that intensity which is usually found in the affections of such iron characters. Although in later life we have understood him to have been somewhat morose and gloomy in the home circle, his attachments to all the members of his family were deep and rooted. Meanwhile the bills passed the House of Commons, and sailed for the icy passage of the Peers. An agitation in Ireland against the securities, founded on a belief that the Catholic Relief Bill itself was sure to pass, had a most prejudicial effect upon its fortunes in the House of Lords, and great was the revulsion of feeling when the news arrived of its having been thrown out by 39 votes.

The weakness of lord Liverpool's government, in 1821, compelled him to call in the assistance of Peel and the Grenville Whigs, who

believed that they would be better able to subserve their political objects as an element of the government than as an impotent section. Plunket became Attorney-general under the vice-royalty of lord Wellesley, while Mr. Goulburn was sent over as chief Secretary, to counteract the too great liberality of such colleagues. During the following year (1822) the Catholic question was not brought out, the distracted state of Ireland, torn asunder between the Orange and Catholic factions, and the hesitating condition of parliament, not rendering it advisable in the opinion of lord Grenville. Plunket, however, had occasions of showing in the debate of the House that his accession to office had not altered his position or opinion. His conduct in "the Bottle Riot" also proved to those who had been disposed to brand him as an apostate that he was faithful to his past career. The Orangemen had been intensely annoyed by some restrictions upon their loyalty to their Dutch demigod; they had been forbidden to propose their pious toast at a banquet given to George IV. at the Mansion House; and they were prohibited from dressing up the statue of their idol in College Green on the 12th of July. Accordingly, when lord Wellesley visited the Dublin theatre, the pit and gallery were packed with these amiable Christians, who showed their devotion to true religion by seditious cries and a fire of whisky bottles and other heavy missiles directed against the Lord-lieutenant's box. Several of the ringleaders being apprehended, acknowledged their complicity with all the pride and satisfaction of martyrs. Notwithstanding this, the grand jury ignored the bills; and Plunket rightly and courageously issued *ex officio* informations against the delinquents. In the courts of Irish justice the Orangemen had hitherto had it all their own way, as the perverse finding of the grand jury had exhibited. Mr. Sheil has described the scene which the court presented on the day of trial; the scowling brows of the Orange partisans who crowded the galleries, and the flushed faces of the barristers contracted into fixed sneers or expressive of angry political resentment. It was in vain that Plunket, in the course of his speech, pronounced a glowing and sincere eulogium on William III., for whom he had the natural admiration arising from some affinity of character. The jury, after a protracted trial, was discharged without coming to an agreement; and the press teemed with furious attacks upon the prosecutor for what was called unconstitutional straining of authority to carry out political aims and gratify Roman Catholic clients. Saurin was a main instigator of the outcry against his successor in office, although it was afterwards discovered that he had himself some years previously done exactly the same. The general feeling was decidedly against the Attorney-general; the opposition, which he had left, had no disposition to stand by him; the ministry itself was divided and cold in its support; his enemies were confident of a victory which would irrevocably damage the reputation of their most powerful antagonist, besides driving him from office, and giving the Orangemen the most gratifying triumph. As he walked down to the House with his friend Mr. Anthony Blake, he was so affected by his emotions that he was obliged to lean on him for support, and several times exclaimed "that he felt like a man going out to execution under an unjust sentence." Mr. Brownlow's speech was just



what it should have been, moderate, but conclusive; and when Plunket rose to defend himself, the case had almost been deemed to have gone by default. He began with the labour and stumbling which sometimes we are told precluded his greatest displays of eloquence, and the House listened with obvious coldness and disfavour. But what would have quenched a lesser fire of eloquence, made Plunket's leap up with a brightness and vigour that soon changed the appearance of the House. He gained the most complete triumph, and in a short speech not only completely exonerated himself, but by the simple manliness of its tone and temper carried with him the whole sympathy as well as sense of his audience. Plunket continued in the same impartial and firm course which had so enraged the Orange party when the curb was put upon their own political licentiousness. He was as determined in the interest of the cause he had so long championed as well as in strict fairness to keep a firm hand over the Roman Catholic agitators. \* Any excess might at that critical time, when their cause was in the balance, have made the anti-Roman side preponderate. He was obliged, in 1825, to support the Bill introduced by his party to put down the Catholic Association. It was probably his sincere opinion that such a power within the state as the association had asserted was dangerous and intolerable, supported as it was by a large revenue and with its reins entirely in the hands of one violent and turbulent man. He considered that he was serving his cause in forcibly putting down this dangerous machinery, which was more likely to defeat than to gain the end that both the association and he had in view. In his speech he explained the reasons which actuated him in joining an administration divided on Catholic relief, and now impelled him to support its views with regard to the association. He supported Sir Francis Burdett's Bill in the same year, in a speech which lord Brougham often assured his grandson was the greatest of all the parliamentary efforts at which he was present. In this speech he reviewed the history of the Established Church in relation to the other religious bodies, argued that emancipation could not endanger it in Ireland, and showed that the historical precedents were mere bugbears. A fine passage on this latter subject is worthy of quotation; abstract philosophical passages were rare in Plunket's speeches; but when they occurred, were sure to be striking:—\*

"Time, as has been said by the wisest of men and the most sagacious observer of its effect, is the greatest innovator of all. While man would sleep or stop in his career, the course of time is rapidly changing the aspect of all human affairs. It is the province of human wisdom to wait upon the wings of time—not with the vain hope of arresting his progress, but to watch his course—to adapt institutions to new circumstances as they arise, and to make their form reflect the varying aspect of events. Unless we do this, of what value is it to go back to former periods? Unless we draw lessons of wisdom from the facts which we recall, experience will become a swindler, who thrusts upon us an old coinage at a value which it has long since lost. Our knowledge will dwindle into panantry, our prudence into dotage, and history itself will be no

\* *Life and Speeches*, vol. ii. p. 190.

better than an old almanac. When I admit that the present danger is serious, do I therefore inculcate dread? Far from it. Were the Catholics to come to your bar, claiming their rights with shout and tumult, I would laugh at their idle clamour. Were they to utter threats and defiance, I would despise their impotent menace. Were they to come with force and arms, I would meet their insolence with force, and easily subdue them. But when they come before us imploring an equal participation in the blessings of the British constitution, I confess I have no weapons left with which to oppose them. I have no mode of dealing with them, but to take them to my bosom as allies and equals—to admit them to all the benefits, and join with them in the defence of the constitution—be it against foreign or domestic enemies—be it in peace or be it in war.”

It is curious how in the following passage Plunket seems to justify Milner's petition against the measure as dangerous to Roman Catholic orthodoxy. At the same time, it seems to suggest another way than proselytism:—“Some may perhaps tell me that we are to trust to time and to proselytism. I admit that much may be expected from proselytism, if it be fairly effected by argument and sound reasoning; and I know that nothing is so likely to increase it as the pious and exemplary lives, the kind and charitable behaviour, and the religious example of the Protestant clergy; and I am of opinion that the time will come when the religious differences between Protestants and Catholics will be much lessened; and, though we may not see it, that our children's children may be witnesses of it. But, Sir, this prospect is distant and uncertain; the dangers which surround us are pressing and imminent. So long as you continue a line of demarcation between the Protestants and Catholics, so long do you hold up the latter as an alien to the State. And, while you do this, let it be considered that your proselytism will be at a stand-still; for any man who should become a Protestant under such restrictions would be considered an apostate, a wretch who changed his religion only for purposes of gain.” It is needless to tell the reader that this Relief Bill also terminated its existence in the House of Lords, through which its “wings” did not suffice to carry it. The debate in which it closed its career was remarkable for the duke of York's vow. In 1826, the question remained in the same position, apparently no nearer a settlement. The House of Commons was lukewarm; the King and Lords hostile. Many who in their consciences could support the settlement, would not on grounds of consistency. As George Canning said, writing to Plunket, “Pride, consistency, character, the dread of being supposed to compromise for the sake of office, and the shame of turning round upon followers whose opinions may have been formed and fostered by the example of their leader—all these feelings are as strong upon one side of the question as the other.” He wished to introduce the measure by a preliminary resolution, which, by being made wide and vague, might comprehend many who could not, in the first instance, assent to a Bill point blank. A decent process of conversion was necessary, he thought, to save their pride. The dissolution of parliament and general election were followed by efforts to relieve the prevailing distress in England and other important business. Lord Liverpool's resignation, in February 1827,

further delayed the consideration of the Catholic question; but in March it came before the House. The reader is aware how Sir Francis Burdett was defeated by a majority of four on this occasion; and shortly after matters took a turn which seemed to place the Catholic question quite out of the field of politics. An attempt to form a purely Tory ministry having failed, Mr. Canning was commissioned to obtain the co-operation of the more moderate Liberals, and in this number Plunket would naturally have been included. The king, however, who had been vacillating upon the subject of emancipation from the moment he got possession of power, now announced that he had positively made up his mind to follow his father's example. Having desired the formal attendance of the archbishop of Canterbury and the bishop of London, he commanded them to make known his determination in the Established Church. It was inconsistent, he thought, with the reassurance which he wished to give to the Establishment to retain the Roman Catholic champion in high office in Ireland. Accordingly, lord Manners was desired to retain the chancellorship for a year, and Plunket was appointed to the office of Master of the Rolls in England, without prejudice to his further claims. It is probable that he soon received an intimation of the feeling of the English bar that the appointment of an Irish barrister would not be acceptable; for he resigned after only a few days' tenure of the office, and gave as a reason to his friends the opinion that offence would be taken by the profession. Considering that it had been the uniform custom to place English lawyers over the heads of the Irish bar, and English ecclesiastics over the Irish Church, this single act of reciprocity might fairly have been allowed to pass. Ireland may well congratulate herself that England did not in the case of Plunket appropriate to herself the glory of the most powerful reasoner and speaker of the day, as in Wellington she assimilated the greatest general. This cool system of sucking the brains of Ireland in private and ridiculing her in public, is one of the most curious traits of the English connexion. On resigning the Mastership of the Rolls, Plunket was appointed Chief-justice of the Common Pleas, lord Norbury having been induced to resign. At the same time he was raised to the peerage of the United Kingdom by the title of baron Plunket of Newton in the county of Cork. His presence in the House of Lords was considered by Canning as very important whenever the Roman Catholic question should come on again. On the break down of the Goderich ministry, in January 1827, the Tories came into office; but it was only to yield all they had opposed. They have on several occasions had the good fortune to be able to give away as a boon what their opponents had vainly endeavoured to wrench from their grasp by violence. We must confess to thinking that in thus doing they have saved, rather than forfeited, their honour. The repeal of the Test and Corporation Act and the Roman Catholic Relief Bill, were instances of this happy fortune. The duke of Wellington and Peel, being deserted by the Canningites, proceeded to bestow what they thought necessary, without any Liberal or Whig interference. Sir F. Burdett's Bill passed the Commons, and Wellington showed his favourable disposition by proposing a conference between the Houses; but notwithstanding a more favourable reception being accorded than on any former occasion to this periodical visitor, it was sent back upon

another voyage into space. Lord Plunket made his first speech in the Upper House, and it was considered equal if not superior to any previous effort; but we are unable to judge of its merits except by hearsay, for there is only a meagre sketch of it in existence. At last the hour came when the old opponents of the measure he had so long advocated became its friends, and Plunket stood up beside Wellington to deliver his final argument. He reserved himself to answer lord Eldon, who fought against the Bill to the last in the king's closet as well as in the House of Lords. He did not claim to have been the source of the change that had come over the fortunes of the cause. One of lord Eldon's arguments had been, that the common law of the country afforded a remedy for all the evils of Ireland:—"When I see the evils of Ireland in their full extent before my eyes, am I to be told, my Lords, that the common law of the country affords a remedy for the mischief? Whilst temples are throbbing and veins consuming with the unassuaged hectic, are we to be directed to the common law as a remedy for the disease? It is fallacious and idle to talk of it. The present state of things cannot be allowed to go on. When we consider the scenes that took place last year, no government in its senses can permit them to continue—no government can so expose the most valuable institutions of the British empire to the constant and imminent hazard of destruction from these perpetual and interminable divisions, distractions, and feuds among the population. The tenant was taken out of the hands of his landlord—the bonds of society were dissolved—discontent became a force fitted to accomplish anything—all things were sucked into the whirling vortex of a body which existed beyond, in spite of, and against the state. I do not say it now exists; a law has been passed to put it down, but was this suppression owing to that law? No; it was due to the prospect of the measure now debated—it fled like a guilty thing before the dawn of this wise, just, expedient, and magnanimous measure. But if this Bill be not carried, believe me, my Lords, that, sleeping or waking, in action or repose, there does and will exist a force beyond the government of the empire, holding the elements of society in a state of solution; it being uncertain what principles will rise, or what be precipitated—a whirlpool drawing talent and imbecility, vice and virtue, knowledge and ignorance, wealth and poverty—sucking all into its own overwhelming vortex. In one word, we come to the alternative of either employing military force to govern the country, or governing it by just laws."

Lord Plunket having "gained his suit," did not by any means withdraw from the debates of the Upper House; but his chief motive for exertion was gone. He spoke upon Reform in 1831, on the Tithe question in 1832, and advocated National Education in 1833, with all his old power and naked eloquence. But his appointment as Lord-chancellor of Ireland confined him chiefly to the duties of that high office, although he attended in the House of Lords when his advocacy was required. Far happier was he now when, with his family gathered about him at Old Connaught, and in the pleasant outer ring of friends who also assembled to enjoy his hospitality, he rested after his judicial labours. From 1830 to 1840 he enjoyed much influence with the government, and his opinion was regarded as infallible on all the affairs



of Ireland. With regard to the character which he left behind as Chancellor, and the circumstances of his resignation, we cannot do better than allow his grandson to speak :—"It might perhaps have been expected that his age, his political habits long confirmed, his constant intimacy with great affairs of state, would have rendered him inattentive and careless in the discharge of his judicial functions, and impatient of the stale and unprofitable squabbles with which his time was sometimes occupied. But such was not the fact ; there he sat, day after day, with calm dignity and sedulous care, disposing of all kinds of business, and applying the masculine vigour of his mind to every detail of the smallest case, occasionally breaking his habitual silence with short epigrammatic sentence, expressing in a few words the meaning which it cost others hours of laboured argument to convey, and reminding the able lawyers who practised before him of the intellectual supremacy which they were all proud to acknowledge. Courteous and forbearing to all, he was especially ready to encourage the efforts of any young aspirant in whom he recognised talent and industry. If it be asked, what was the peculiar quality which distinguished his 'judicial mind,' and which appears most prominently in his recorded judgments? it may be said that he was remarkable for the boldness with which he grappled difficult problems, the rapidity with which he arrived at a conclusion, and the decision with which he afterwards adhered to it. Indeed, in the few instances in which his judgments were questioned or overruled, his error consisted always in a departure from narrow authorities, and a disposition to use too freely his privileges as an equity judge, in straining the law to the actual requirements of justice in particular cases. It was his fortune, as Chancellor of Ireland, once to succeed in that office, and twice to be succeeded in it by one of the most eminent English jurists of modern times—Lord St. Leonards (then Sir Edward Sugden)—and their judicial and lawyer-like qualities were often contrasted and compared by the men whose advocacy then adorned the Irish Court of Chancery ; but opinions were nearly evenly divided in adjudging the preference for one or the other. . . . It is now my painful duty to refer to the circumstances under which lord Plunket resigned the Great Seal of Ireland. Lord Brougham has, in a spirit of generous friendship, recorded his opinion of that transaction. . . . When the rumour was first circulated in Dublin, in 1839, that it was intended to supersede lord Plunket as Chancellor, in order to make room for Sir John Campbell, the story was not credited, as it was believed that lord Plunket, quite apart from personal motives, would not submit to such an insult to the profession in Ireland. He did, in fact, refuse to lend himself to the arrangement ; and the government, having obtained a short renewal of their lease of power, the rumour was for a time forgotten. But one day in June 1841, Mr. Connellan, the Chancellor's secretary, came into the hall of the Four Courts, and announced that lord Plunket was about to retire from the bench, in order to make room for the English Attorney-general ; but that his lordship wished it to be understood that he was not in any way responsible for the change. I have only to add, that lord Plunket felt that the peculiar circumstances under which the request had been made that he should resign, rendered it impossible for him to refuse to do so, and

were also of such a kind as to close his lips to any public reproaches, and it was not in his nature to indulge private and unavailing complaints. After retiring from the bench, he never again mentioned the subject, nor would he allow it to be referred to in his presence."

The first intimation that lord Plunket received that it was desired by the government that the seals should be transferred to Sir John Campbell, the English Attorney-general, was a letter from lord Ebrington, pretending to be based on a report that he had expressed a wish to retire. Lord Plunket, in a manly and dignified letter, denied having done so, but signified his willingness to resign if required. The next step was a letter from lord Melbourne, written probably under the influence of a proper shame, desiring lord Plunket to retain the seals and forget what had occurred. To this lord Plunket acceded. These letters passed in October 1839. In June 1841, lord Melbourne re-opened the subject, explaining the difficulty of the government to provide for the English Attorney-general, and their wish that, if not repugnant to his feelings, lord Plunket should then seek the repose to which his "long, able, and distinguished services" entitled him. If, however, he was unwilling to resign, he was desired not to do so. Lord Plunket in reply, expressed his willingness to serve his party, but insuperable objection to be the mover in any such arrangement. He explained his reasons in a private interview with the Lord-lieutenant; then the government became more pressing; lord Ebrington urged it as "a personal favour," and cynically promised that he would undertake the responsibility. Under the apparent courtesy of the government, there was evidently a determination to take no refusal. But one course remained—lord Plunket gave in a memorandum to the following effect, to be forwarded to lord Melbourne:—

*June 17, 2 o'clock.*

"When called on by lord Ebrington, as a personal favour to himself, to resign my office for the purpose of appointing sir John Campbell to succeed to it, I feel it impossible for me, under the weight of the obligations which I and my family have received from lord Ebrington, to refuse compliance, even were the proposal made still more objectionable on public grounds, and more repugnant to my feelings, than stated by me in my letter to lord Melbourne. It therefore remains for me to request that I may be as soon as possible relieved from the discharge of duties which under the present circumstances become very irksome to me."

The scene of his withdrawal from the Court, where for forty years he had pleaded and for ten years sat as a judge, was necessarily a very painful one. It evoked the most intense feeling on the part of the bar. The address was spoken by serjeant Greene, as the senior member of the bar present:—"I presume, my lord, it is not your lordship's intention to sit again in this Court; I therefore rise, as the senior in rank of the members of the bar now present, and with the full concurrence of my brethren [here all the members of the bar rose simultaneously], to address to your lordship a few words before your retirement from that bench which your lordship has for many years occupied. [Lord Plunket rose from his seat, and advanced to the front of the bench.] My lord, we are anxious to express to your lordship the sense we

entertain, not only of the ability, the learning, the patience, the assiduity which have marked your lordship's administration of the high and important functions committed to your lordship's charge; but also, my lord, of the courtesy, kindness, and attention which we have all personally experienced at your lordship's hands, in the discharge of our professional duties in this Court. We gratefully acknowledge, my lord, the disposition you have ever shown to accommodate us all—a disposition by which we all admit your lordship was ever actuated, without regard to personal circumstances or to our political feelings. We trust, my lord, it will be known that this feeling on our part is as general and as universal as the kindness on your part has been uniform and uninterrupted. My lord, it is needless for us to dwell here, for the purpose of commenting upon the talents and endowments which have raised your lordship to the high position from which you are about to retire. They are, my lord, recorded in our history, and they will long live among the proudest recollections of our countrymen. From a sense of these, we offer to you our present tribute of the profoundest admiration and respect; and, my lord, it is gratifying for us to add, that at no period of your lordship's career have they ever shone in greater lustre than at this moment. My lord, with warmest wishes for your lordship's happiness in that retirement, which none is more fitted than your lordship to adorn, we respectfully bid your lordship farewell."

The Attorney's address followed, and lord Plunket then made the following reply, in the delivery of which he was deeply affected, in common with his audience:—"It would be great affection on my part if I were to say that I do not feel to a considerable degree at the prospect of retiring from a profession at which I have for a period of more than fifty years of my life been actively engaged—a period during which I have been surrounded by friends, many of them warm ones [his lordship then paused, visibly much affected], without exception. Many of them are now no more; some of them, nay, many of them, I see at this moment around me. This retirement from the active scenes in which I have been so long engaged, and which have become as it were incorporated with my life, I cannot help feeling, and feeling deeply. It has, however, in some degree been alleviated by the prospect of the repose which is probably suited to this period of my life, and which perhaps would have earlier induced me to retire, but for events of a particular description which have lately occurred; but independent of this, I must say that any pain I would have felt has been more than alleviated by the kind and affectionate address which has been offered to me by my friend serjeant Greene, and which has been so cordially assented to by the members of both professions. I am not unconscious that in the discharge of those duties, my ability for which has been so overrated by my friend serjeant Greene, I have been led into expressions of impatience which had been much better avoided. For any pain that I have given in doing so, or any feelings that I have hurt, I sincerely apologise, and I am grateful to the profession for not having attributed to inclination any such observations. And I must say, that whatever any such expressions may have been, they have never influenced me. It is a sentiment that I trust never

will influence me; and I am now able to say, that in retiring from my profession, I do not carry with me any other feeling than that of affectionate consideration for all and every member of the profession. With respect to the particular circumstances which have occurred, and the particular succession which is about to take place in this Court, it will become me to say very little. For the individual who is to occupy the situation I now fill, I entertain the highest political and personal respect—no one can feel it more so; but I owe it as a duty to myself and the members of the bar to state, that for the changes which are to take place I am not in the slightest degree answerable; I have no share in them, and have not, directly or indirectly, given them my sanction. In yielding my assent to the proposition which has been made for my retiring, I have been governed solely by its having been requested as a personal favour by a person to whom I owe so much, that a feeling of gratitude would have rendered it morally impossible that I could have done otherwise than resign. When I look at the bar before me, and especially the number of those who might have sat efficiently in this judicial place, I am bound to say that for all those great ingredients which are calculated to enable them to shine, and as members of the bar, or as gentlemen for candour, for courtesy, for knowledge and ability, I challenge competition. I challenge the very distinguished bars of either England or Scotland, and I do not fear that those I have the honour of addressing would suffer in the comparison. To them, for their repeated kindnesses, I am deeply indebted. I do assure them that when I retire into quiet life, I will cherish in my heart the affectionate kindness and attention which I experienced at their hands.”

Lord Plunket remained for some years after his retirement in the full exercise of the faculties which, when it took place, had not been in the slightest degree impaired. He spent some time abroad, and particularly enjoyed a sojourn in Rome. On his return, he spent the remainder of his life at Old Connaught, surrounded by his family. We can remember in childhood seeing the historic figure of this grand old man, long after his retirement, and the impression produced by his countenance of massive intellect. At last the shadow of ninety years darkened his mind, which grew lax from idleness. His sons took in turns the painful duty of attending him in this state, and it was thought that one of them, from good-naturedly undertaking his brothers' turns in watching the tottering of this grand and beloved ruin, ultimately fell himself into a similar condition. Lord Plunket's iron constitution still testified to a temperate life, and he wandered through the pleasure-grounds of Old Connaught, often in the earliest morning, delighting particularly to sit under the wide shadow of a favourite oak-tree. He died in January 1854, and was buried in Mount Jerome cemetery, and was succeeded in the peerage by his eldest son, the bishop of Tuam. His second son, the Hon. John Plunket, a man of the most noble and lovable character, whose virtues were illustrated by the fidelity with which, in a trying illness, he was attended for long and painful years by the truest of wives, inherited the title on his elder brother's death, the bishop having no sons. He was married to the third daughter of Chief-justice Bushe, and had a family of five sons and seven daughters. Much might be expected from the mingled line



of two of Ireland's greatest orators; and William, fourth lord Plunket, who married the only daughter of Sir Benjamin Guinness, the great brewer of Dublin, has done much, by his moderation and wisdom, to guide the counsels of the disestablished Church of Ireland, to which he has devoted his life and talents; while the fame of such a descent has already been worthily upheld in parliament by the member for Dublin University. We were witnesses of the interest excited in the House of Commons—an interest which extended from the Premier to the very doorkeepers—when another Plunket rose to address the House; this interest was deepened when it was found that he had learned the spell by which his grandfather had often enchained the senate; and although he spoke in a cause which his party did not entirely espouse, the cheers that burst out on all sides were loud and enthusiastic. He spoke from where a Grenville Whig would probably have spoken—the Conservative benches. Mr. Gladstone, who followed, said that Mr. Plunket had shown that the art of oratory was in his case hereditary. We happened to overhear another curious testimony to the effect produced by this speech from a very different quarter. A grey-haired attendant of the House observed to another in the lobby, "They say the old lord Plunket has come back again to the House; but lord Plunket comes only once in a hundred years." It may be of interest to state that an alliance sprang up between the families of lord Plunket and serjeant (afterwards baron) Greene, who conveyed to him the affectionate farewells of the Irish bar. Mr. Richard Greene, son of the baron, married one of the present lord Plunket's sisters, who has written several books for young people, full of inherited power of narration and that pure youthful sentiment which is the most enviable in an author. The Hon. Isabel Plunket has also been highly successful in the same department of literature.

#### THE DUKE OF WELLINGTON.

BORN A.D. 1769.—DIED A.D. 1852.

ARTHUR WELLESLEY, fourth son of the earl of Mornington, was born in Dublin, as Sir Bernard Burke has proved, about the end of April 1769. The Wellesleys or Westleys, like three-fourths of the people of Ireland, were of English extraction. The massacres and drivings of the Celtic race left it in but a small minority to the Saxon and Scotch settlers, as the great preponderance of English and Scotch names would prove in the absence of history. As, however, the Westleys came to Ireland in 1172, nearly six hundred years before the duke of Wellington was born, there was time for them, by eating the fruits of the Irish soil, and by the process of acclimatisation, to become thorough Irishmen. We do not think, therefore, that England can rob Ireland of the honour of giving her a military leader, as from the fact of his having been born in England, she has deprived her of an almost equally great genius in politics; we mean George Canning. We have not presumed to include the latter in our Irish memoirs, although he himself said, "After all, I can never forget that I am an Irishman." It is true, as

O'Connell observed, that although the tiger's cub be dropped in a fold it does not make it a lamb; but he forgot in this polite figure that the great Duke was not only born in Ireland, but, however he might himself dislike the fact, his ancestors had been in Ireland for a period of six hundred years. The founder of the family was standard-bearer to Henry II., and received large grants of land from that monarch. The Duke's grandfather was raised to the peerage for being a country gentleman of wealth and position, and having sat a number of years in parliament. He was succeeded by his son Garret, who was elevated to an earldom, and married the eldest daughter of lord Dungannon, by whom he had six sons—Richard, marquis of Wellesley; Arthur Gerald, died in infancy; William Wellesley Pole, viscount Maryborough; another Arthur, the subject of our memoir; Gerald, in holy orders; Sir Henry, G.C.B.; and three daughters—Frances, Anne, and Mary. Lord Mornington was an amateur musical composer of much celebrity. He wrote anthems and Anglican chants of great beauty: his songs and glees were popular in their day: he was an accomplished violinist, and received the honorary degree of Mus. Doc., in recognition of his merits, from the University of Dublin. Probably this light glory did not conduce to real wisdom: the marquis of Wellesley called his parents "frivolous," and it was an advantage to the boys when they were removed from Dangan Castle to the calm bracing classical severity of Eton College. There Richard distinguished himself as a brilliant scholar, and Arthur passed for a slow boy—too dull for learning, and too quiet and moping for football. The brothers were good examples of the two kinds of intellect—one, that which forthwith grows up and spreads its branches abroad; the other, that which grows down and takes an immense root, and thus becomes the greater in the end. When the marquis of Wellesley went to Oxford, Arthur went to the military school of Angers. At this time Napoleon, who had been born in the same year as Wellington, was at the military college of Brienne. It is curious to think of the two boys unconsciously preparing for their great competition—such opposite extremes too; one the representative of Toryism, the other of Revolution. Thus it probably is that the great players of the human chessboard are at school to-day. It is not recorded of Arthur Wellesley, as of Napoleon, that he displayed his talent in the construction, attack, and defence of snow fortifications. We can scarcely imagine the stern, practical, sober-minded general of the Peninsular wars indulging in such freaks of genius, or, indeed, playing at war at all. War to him was a reality; to his rival it was a game to the last. In 1787 the younger Wellesley received his ensigncy in the 73d regiment; in the same year he became a lieutenant in the 76th, then exchanged into the 41st, and was soon after appointed to the 12th light dragoons. In a little over four years from the date of his joining the service, he obtained his company in the 58th foot, and the following year (1792) a troop in the 18th light dragoons. He was thus being rapidly carried by the breeze of official favour and the under-current of family influence towards the broad open where genius can show itself; and the fact of his elder brother being already a member of Pitt's government, and soon after one of the commissioners for India, helped the onward

career of the young officer. In 1790 he was returned to the Irish parliament for his father's borough of Trim. He is described by Barrington as having been at that time "ruddy faced and juvenile in appearance," "popular among young men of his age and station." He took some modest part in the debates; but his address is described by the same clever sketcher as "unpolished; he spoke occasionally, but never with success; and evinced no promise of that unparalleled celebrity which he reached afterwards." Maxwell quotes an anonymous authority to rebut this testimony:—"The first time I ever visited the gallery of the House was on the opening of the session of 1793, and I was accompanied by a friend, a barrister of high standing and a person of acknowledged judgment. He was one of a celebrated society, termed 'The Monks of the Screw,' and consequently was on intimate terms with all the leading men of the day, including Grattan, Cuff (afterwards Lord Tyrawly), Langrish, Parnell, Wolf, &c., &c. As each member entered the House my friend named them in succession, and generally at the same time rapidly sketched their characters. A young man dressed in a scarlet uniform, with very large epaulets, caught my eye, and I inquired who he was. 'That,' replied my friend, 'is Captain Wellesley, a brother of Lord Mornington's, and one of the aide-de-camps of the Lord-lieutenant.' 'I suppose he never speaks,' I added. 'You are wrong; he does speak sometimes, and when he does, believe me it is always to the purpose.' The subject which occupied the attention of the House that night was one of deep importance in Irish politics. A farther concession to the claims of the Roman Catholics had been recommended in a speech from the throne, and an animated debate resulted. Captain Wellesley spoke on the occasion; and his remarks were terse and pertinent, his delivery fluent, and his manner unembarrassed. I particularly recollect a casual allusion to parliamentary reform produced from him the parenthetic observation, 'By-the-by, were such a measure introduced, I should most strenuously oppose it.' On another occasion I was present when a property qualification for members of parliament was first brought under the consideration of the House. The Hon. John Monk Mason opposed it. He held a large roll of papers in his hand, which he flourished vehemently, to the manifest alarm of the members immediately beside him. In winding up his speech he emphatically concluded by saying, 'I give my determined opposition to this invidious measure in the name of all the younger brothers in the House,' striking Captain Wellesley, who sat beside him, so sound a whack between the shoulders with his parchment baton, as to be heard distinctly in the gallery. The occurrence produced an instant and uproarious burst of laughter through the House."

Captain Wellesley was appointed aid-de-camp to the lord-Lieutenant, and spent probably the happiest years of his life in the then gay, dashing, and reckless capital of Ireland. He was, however, by no means up to the mark of such a life in point of income, and at one time was obliged to accept a loan, kindly and delicately offered, from his landlord, who was a prosperous bootmaker on Arran Quay. In after years he did not forget to give an ample return to the lender. During 1791, 1792, and 1793 he sat in the Irish Parliament as a supporter of

the Government, and in the last mentioned year was chosen to second the address. At last, however, an opportunity of action presented itself; he had been promoted to the lieutenant-colonelcy of the 33rd regiment, and was ordered to proceed with it to the Netherlands to join the army under the duke of York. We cannot go into the miserable particulars of that inglorious campaign; it is enough to say that the young Irish colonel was the means, by his able handling of his regiment, of saving Abercrombie's column from being destroyed on the retreat from the Boxtel. During 1794-5 colonel Wellesley and his regiment shared the terrible sufferings of the British army, took part in many desultory engagements, and at Meteren, where he repulsed the enemy and took two guns, and at Geldermansel, where he performed a similar exploit, won the general admiration of the army. On the terrible retreat into Westphalia, in which the sufferings of the army resembled on a small scale the retreat of Napoleon from Russia, colonel Wellesley commanded the brigade which formed the rear-guard. The French Convention had decreed that no quarter should be given to the British troops, and the men were as desperate in their retreat as starved wolves; but it was principally owing to the admirable generalship of Wellesley that many a man reached the Weser and re-embarked on English oak, who would never have seen England again if a lesser commander had been at their back in that retreat. Some were destined a few years after to follow him in campaigns of victory, in which under his glorious command the fortunes of the combatants were finally reversed. Such soldiers only wanted such a commander. Nothing could possibly be imagined more disgraceful than the generalship under which British soldiers were always on the retreat, and were never led to battle. The biographers of Wellington are probably correct in supposing that he learned more from the errors of his superiors than he could have done under a Marlborough or a Wellington himself. On his return to England, in 1795, he was ordered with his regiment to the West Indies; but, the admiral having delayed his voyage until the tempestuous month of December, the fleet was driven back after a severe battle with the waves and winds, lasting for six weeks, and Wellington was possibly saved from the yellow fever. The 33rd was disembarked, and spent the remainder of the winter at Poole. The following spring it sailed for India, but its young colonel was detained by ill health, and after spending part of the summer in England, he succeeded in catching it up at the Cape, and proceeded with it to Calcutta. He had now attained the rank of full colonel. In 1797 colonel Wellesley and his regiment formed part of the expedition directed against the Spanish settlement of Manilla; but owing to the threatening attitude of the Sultan of Mysore, he was recalled on reaching Penang. The brief struggle with Tippoo Sultan has already been detailed in our memoir of the marquis Wellesley (then Lord Mornington), who had just been appointed Governor-General. In November 1798, colonel Wellesley was put in command of the forces assembled at Wallahabad, to discipline and prepare them for the anticipated work that lay before them in the spring. When General Harris arrived in February, he found evidences, in the



perfection of the troops, that they had been under a determined disciplinarian, the machinery of supply was admirably arranged, and the troops had been practised in combined field movements so well, as to be thoroughly in hand by their commander. In the campaign which followed, colonel Wellesley had the command of the Nizam's forces, and in the battle of Malavelly his own regiment bore the brunt of the engagement. It was the charge of the 33rd that made Tippoo's best troops fly, and the cavalry completed their destruction. The siege of Seringapatam followed the victorious battles of Seedaseer and Malavelly. In one of the preliminary attacks which was ordered to take place at night under colonel Wellesley, the 33rd was forced to retire with some loss, but next morning renewed the attack in daylight, and by carrying the outwork, proved that on the previous night their failure arose from the darkness. In the taking of the city Wellesley bore a prominent part, and was left in command of the fortress after its capture. His strictness in maintaining discipline, and protecting non-combatants, soon restored perfect order and confidence. One of the released captives of Tippoo, Doondiah Waugh, a Mahratta trooper, who had acquired the reputation of a famous robber, had collected a large band out of the wreck of armies, and now began to give trouble by his incursions. In fact he was rapidly assuming the dimensions of a sovereign chief, having subjugated many towns and forts, and a considerable extent of country. Flying columns were accordingly despatched in pursuit of his army, and a small portion of it overtaken and defeated. Doondiah rapidly retreated, as rapidly pursued. An attack upon his camp was so far successful that his forces were driven in and crushed, but Doondiah managed to escape with a considerable body. Crossing into the Mahratta country, he was defeated by the troops of the Peishwa, and the King of the Two Worlds, as he styled himself, was again obliged to fly with a few followers. This irrepressible freebooter, however, was soon again as troublesome and well attended as before; and after he had inflicted a defeat upon the Peishwa's troops under Goklah, the same officer who had defeated him before, colonel Wellesley considered it necessary to adopt larger measures. He took the command himself, and after surprising the camp, pursued Doondiah across a river over which he had withdrawn with his troops and artillery, and drove the robber before him. It was well that colonel Wellesley, instead of taking the Batavian command which was offered him, and would to all appearance have been far more honourable and profitable, had determined, partly on the entreaty of lord Clive, and partly from his own sense of the rising dangers, to stay in his command at Mysore. It only needed a standard to collect a vast army of the scattered materials which overran the country; and there were clouds on all the borderlands, and unsettled indications in the wild surrounding tribes, which Colonel Wellesley rightly interpreted. So pressing was Clive that he should remain, that Lord Mornington advised him not to accept his own offer, and observed, "Your conduct there (in Mysore), has secured your character and advancement for the remainder of your life, and you may trust me for making the best use of your merits in your future promotion." The following account of the final engagement in which

Doondiah was killed, is described with a stern, warrior-like humour :—  
 “I have the pleasure to inform you that I gained a complete victory yesterday, in an action with Doondiah’s army, in which he was killed. His body was afterwards recognised, and was brought into camp on a gun attached to the 19th Dragoons. After I had crossed the Malpoorba, it appeared to me very clear that if I pressed upon the King of the Two Worlds with my whole force on the northern side of the Dooah, His majesty would either cross the Toombuddra with the aid of the Patan chiefs, and would then enter Mysore; or he would return into Savanore, and play the devil with my peaceable communications. I therefore determined, at all events, to prevent his majesty from putting those designs into execution, and I marched with my army to Kauagherry. I sent Stevenson towards Deodroog, and along the Kistna, to prevent him from sending his guns and baggage to his ally, the Rajah of Soorapoor; and I pushed forward the whole of the Mahratta and Mogul cavalry in one body, between Stevenson’s corps and mine.

“I marched from Kauagherry on the 8th, left my infantry at Nowly, and proceeded on with the cavalry only; and I arrived here on the 9th, the infantry at Channoor about fifteen miles in my rear.

“The King of the World broke up on the 9th from Mulgherry, about twenty-five miles on this side of Raichore, and proceeded toward the Kistna; but he saw Colonel Stevenson’s camp,—returned immediately, and encamped on that evening about nine miles from hence, between this place and Burmoo. I had early intelligence of his situation, but the night was so bad, and my horses so much fatigued, that I could not move. After a most anxious night I marched in the morning, and met the King of the World with his army, about five thousand horse, at a village called Conahgull, about six miles from hence. He had not known of my being so near him in the night,—had thought that I was at Chinnoor, and was marching to the westward, with the intention of passing between the Mahratta and the Mogul cavalry and me. He drew up, however, in a very strong position as soon as he perceived me, and the victorious army stood for some time with apparent firmness. I charged them with the 19th and 25th dragoons and the 1st and 2nd regiments of cavalry, and drove them before me till they were dispersed and were scattered over the face of the country. I then returned and attacked the royal camp, and got possession of elephants, camels, baggage, &c., &c., which were still upon the ground. The Mogul and Mahratta cavalry came up about eleven o’clock, and they have been employed ever since in the pursuit and destruction of the scattered fragments of the victorious army.

“This has ended this warfare; and I shall commence my march in a day or two towards my own country. An honest killedar of Chinnoor had written to the King of the World by a regular toppal, established for the purpose of giving him intelligence, that I was to be at Nowly on the 8th, and at Chinnoor on the 9th. His majesty was misled by this information, and was nearer me than he expected. The honest killedar did all he could to detain me at Chinnoor, but I was not to be prevailed upon to stop; and even went so far as to threaten to hang a great man sent to show me the road, who manifested an inclination to

show me a good road to a different place. My own and the Mahratta cavalry afterwards prevented any communication between his majesty and the killedar."

When the baggage of this famous robber-prince was captured, his son, a child of four years old, was brought to Colonel Wellesley's tent. He took him under his own guardianship, and when about returning from the East left several hundred pounds for the provision of the boy. He was afterwards put into the rajah's service, and did honour to his generous guardian. Colonel Wellesley was sent to command an expedition from Trincomalee against the Dutch settlements. The admiral, however, never appeared after a month, and the colonel determined, on his own responsibility, to bring back his force to Bombay. He was naturally apprehensive of the effect this might have on his reputation, although, fortunately, the governor-general acknowledged the soundness of his judgment. He thus wrote to his brother :—

"I shall consider these expeditions as the most unfortunate circumstances for me, in every point of view, that could have occurred;" he thus continues:—"I was at the top of the tree in this country; the government of Fort St George and Bombay, which I had served, placed unlimited confidence in me, and I had received from both strong and repeated marks of their approbation. Before I quitted the Mysore country I arranged the plan for taking possession of the Cedel districts, which was done without striking a blow; and another plan for conquering Wynaad and reconquering Malabar, which I am informed has succeeded without loss on our side. But this supercession has ruined all my prospects founded upon any service that I may have rendered. . . . I have not been guilty of robbery or murder, and he (the Governor-General) has certainly changed his mind; but the world, which is always good-natured towards those whose affairs do not exactly prosper, will not, or rather does not fail to suspect that both, or worse, have been the occasion of my being banished, like general Kray, to my estate in Hungary. I did not look, and did not wish for the appointment which was given me; and I say that it would probably have been more proper to give it to somebody else; but when it was given to me, and a circular written to the Government upon the subject, it would have been fair to allow me to hold it till I did something to deserve to lose it.

"I put private considerations out of the question, as they ought, and have had no weight in causing either my original appointment, or my supercession. I am not quite satisfied with the manner in which I have been treated by Government upon the occasion. However, I have lost neither my health, spirits, nor temper in consequence thereof."

The anticipated loss of reputation did not follow. On the contrary, Clive was most anxious for him to return to Mysore, while his brother wished him to accompany Sir David Baird to Egypt. The latter would probably have carried the day, had it not been for a fever and breaking out over his body, which obliged him to remain at Bombay and take a course of nitrous baths. In April 1801, he was able to return to duty, and placed himself under lord Clive's orders. For a time he devoted himself simply to civil and military organisation; in

fact, for a year and a half his sole occupation was with the internal affairs of the province under his government, and we may, therefore, pass over this period. Meanwhile he gave proofs of the foresight and honest study by which he paved the way to victory, by drawing up plans and memoranda for a possible Mahratta war. He was not deceived in his anticipations. Under the nominal head of the vast Mahratta empire five great feudatories possessed the substance of power. The three most powerful were Scindiah, the Peishwa, and Holkar. Of these Scindiah possessed the most powerful army, chiefly officered by French, and was decidedly hostile to England. The Peishwah had taken no part against Tippoo, but had been brought into alliance by the gift of a portion of his territory. But these two chiefs, divided between French and English interests, were united against Holkar. The latter defeated them in a great battle near Poonah. The Peishwa fled and appealed for English help; this was promised, and an agent was sent to Scindiah to make him a party to the engagement. It was resolved to detach a small army of 7000 men from the large force collected under general Stuart, and at lord Clive's desire this was placed under the command of major-general Wellesley, for to that rank he had now honourably won his way. Lord Clive thus stated his grounds for selecting the young commander of Mysore for this detached expedition into the heart of that "great and terrible wilderness" of enemies, the Mahratta country:—"The practical experience obtained by major-general the Hon. A. Wellesley on the immediate theatre of the intended operations, combined with the personal intercourse established between that officer and the Mahratta chiefs on the frontier, and supported by the great ability uniformly manifested by that officer in various situations of difficulty, render me solicitous that he should be selected for the command of the advancing detachment." He was accordingly appointed, under the following instructions:—"To endeavour to obtain the co-operation of the two Mahratta princes not engaged in the war—the rajahs of Guzerat and Berar; to form a junction with the Peishwa at Meritch; to extend an arm of communication to colonel Stevenson, who was with the Nizam's forces; and eventually to proceed to Poonah, and restore the Peishwa to his musnud. The reputation which general Wellesley had already acquired with the Mahratta chiefs proved of the greatest service to the expedition. The immense preparations he had been making told at every step. Every river was provided with a fleet of large boats, and the stores which he had long prepared in Mysore were ready to the moment, the marquis of Wellesley having ordered that he should continue in the government of that province though absent with the army. He had a valuable agent to act for him, from this long prepared basis of all supply, in Purneah, formerly prime minister of Tippoo, but a most able and trustworthy steward notwithstanding. The position of Stevenson at Perinda, about 150 miles from Poonah, caused the general considerable uneasiness whilst he remained in doubt of Holkar's movements. However, the junction of the British corps was safely effected on the 15th of April 1803, about seventy miles from Poonah. The British had been reinforced by eight or nine thousand men, under the Peishwa's tributary chiefs, and now moved forward in



respectable force. Holkar was discovered to have retreated northwards, leaving two detachments of his army to observe the invaders. Strong doubts were now entertained of the good faith of Scindiah, and these doubts were soon confirmed by that chief openly joining his late successful opponent against his late ally, the Peishwah. Wellesley learned that Amrut Rao was in possession of Poonah, and intended, on the approach of the English army, to burn that great city. This threat alarmed the Peishwah, whose family was there, and Wellesley, putting himself at the head of the cavalry, undertook a rapid night march to save it, and very nearly succeeded in the capture of Amrut Rao, who had to fly with precipitation, unable to carry out his terrible menace. In this cavalry march sixty miles were accomplished in thirty hours; the army rapidly followed, and so far the object of the expedition was accomplished. Colonel Stevenson, whom we find all through this campaign in command of a detached force co-operating with Wellesley, and generally, by mistakes and delays, in entire contrast to his commander, acting as a good dark background to throw out the achievements of the latter, had been ordered to post himself some way down the Beemah river. In consequence of information received of Holkar's movements, he was now ordered to advance up to Aurungabad, which city was threatened, as well as the strong fortress of Dowlutah. General Wellesley, after waiting for the arrival at Poonah of the Peishwah, who was waiting for a lucky day to enter his capital, to be reinstated on his throne, moved towards the Godavery. It was reported that Scindiah had violated the territory of the Nizam by crossing the frontier to hold a suspicious conference with the Rajah of Berar, and the general considered it possible he might attack Hyderabad. To the demand that he should withdraw from his position, and retire beyond the Nerbudda, he had returned unsatisfactory replies, and it became evident that nothing but the strongest dealing would break through the webs of deceit and evasion which those crafty despots wove across one to another. Even the Peishwah was in secret communication with his brother tyrants, from whom he had just been saved; and as if to complete the difficulties of the British commander, an incapable governor at Bombay thwarted all his plans, and, like a shrunken sinew, cramped the action of the striking arm. Mr. Duncan was one of those men who are for halting measures, and obstinately bent upon ineffectual plans. He was backed up by the incapacity of a certain major Walker, who gave a military *imprimatur* to the civil generalship of his chief, and the large forces which should have co-operated from Guzerat in the north-west were broken up into detachments, and unable to move for want of proper supplies and equipment. Other European officers were guilty of such remissness in duty, that general Wellesley, looking to all these difficulties and delays, suggested to his brother, the Governor-General, that it would be wise to arm him with plenipotentiary powers over the whole operations and all concerned in them. But even when this full authority came, he found it necessary to repudiate all responsibility for Bombay, owing to the impossibility at that distance of enforcing his will, and the feeble obstinacy that thwarted it. In his dealing with the great Mahratta chiefs that lay with their armies in his path, he at once exerted his

absolute power to put an end to their subtilities and intrigue, and held out peace and war in his two hands for immediate choice. Finding it impossible to get them to pronounce, he declared war against Scindiah and the Rajah of Berar, those chiefs not having acted upon his demand that they should separate and lead back their troops to their usual stations. They expressed their willingness to withdraw a little way, if the English would entirely clear the coast. Accordingly, the general despatched his ultimatum:—"I offered you peace on terms of equality, and honourable to all parties; you have chosen war, and are responsible for all consequences." He had now under his immediate command an army of 43,000 men; but a large proportion of this force consisted of the irregular cavalry of the Peishwah, the Rajah of Mysore, and the Nizam. The European and disciplined native troops he had worked up to the highest point of military perfection; and the whole army was able to march as no other army had ever marched before on the soil of India. The great object that general Wellesley aimed at was mobility, and this was most difficult to attain in India, when the fighting part of an army marched under the shadow of a huge swarm of non-combatants. He was so successful, however, that on long marches his army was able to cover three miles in an hour. In providing supplies and everything necessary to progress, the general showed an almost superhuman foresight. Perfectly quiet and self-possessed, and never apparently in a hurry or excited, he set every wheel in full motion, and imparted to every person around him the utmost circumference of his army the greatest activity of which they were capable. He was thus sketched by a military biographer:—

"General Wellesley was a little above the middle height, well limbed, and muscular; with little encumbrance of flesh beyond that which gives shape and manliness to the outline of the figure; with a firm tread, an erect carriage, a countenance strongly patrician, both in feature, profile, and expression; and an appearance remarkable and distinguished. Few could approach him on any duty, or on any subjects requiring his serious attention, without being sensible of something strange and penetrating in his clear light eye. Nothing could be more simple and straightforward than the matter of what he uttered; nor did he ever in his life affect any peculiarity or pomp of manner, or rise to any coarse, weak loudness in his tone or voice. It was not so that he gave expression to excited feeling. A biographer says, writing of this particular period, 'With the vast responsibility resting at this time on general Wellesley, the multiplicity of calls on his time and attention, occasioned by an extensive correspondence, which regulated distant affairs; the presence of formidable enemies; the necessity of conciliating and overawing doubtful friends; who, we ask, reflecting on the situation in which he was placed, would not imagine him to have betrayed some anxiety of mind—shown outward signs of busy thought within? On the contrary, not a man in his army seemed more devoid of care. Full of animation and urbanity, no reproving look checked the joke or suppressed the laugh of those about him. "Come away," he would call out; and off he went at full speed after his gallant greyhounds, who commonly obtained much of his attention during a march; and, game abounding, the general and officers not

required to be with their regiments, who felt disposed to enjoy the coursing, were able to beguile the time by this exhilarating sport. With an astonishing facility of getting through business, aided by a rapid pen, he found leisure for everything; and, the ordinary hours of employment past, was ready to give his opinion on the shape and qualities of a dog or a horse with all the acumen of a connoisseur. If we add that he was temperate in his habits, particularly as regards what are termed the pleasures of the table, enough will have been said."

If the reader will consider the army of Colonel Stevenson, which was now ordered to advance between Aurungabad and the enemy, as the guarding arm, and the army of general Wellesley, which was drawn back lower down on the Godavery, watching the motions of the vast cavalry army of Scindiah, which it was suspected might suddenly descend on Hyderabad, as the striking arm, he will form a good idea of the relative functions throughout this campaign of these two divisions. It is remarkable that the enemy seemed to have the distinction very plainly before them; for while they made every effort to avoid Wellesley's force, they freely approached Stevenson's, cut off his foragers, and even caused alarms in his camp. Perhaps for the same reason, the Nizam's cavalry serving under him were not, it was supposed, perfectly reliable. This made general Wellesley extremely desirous of delivering an effective blow himself. He accordingly marched up towards Bokerdun, where the confederates were encamped, and planned with Stevenson, with whose division he was now converging, to make a combined attack. Taking different roads, they were to advance simultaneously upon the enemy, who had risen from Bokerdun and encamped in a strong position at Assye. Stevenson, however, by delays upon the road, maintained his position of the guard arm. He closed the way, but Wellesley's division struck the great and decisive blow. This was partly owing to false information. The general imagined that the enemy were twice the distance; and suddenly, as he rode with his staff to the top of an acclivity, he saw a wide plain before him animated with an army of fifty thousand men, the greater part of whom were cavalry, drawn up in the gorgeous picturesqueness of eastern battle array. The infantry were disciplined like European troops, and under the command of skilful French officers. A hundred guns were drawn up in front of the host, and round the village of Assye, while an immense moving mass of cavalry occupied the right. The general paused, and calmly surveyed this fine spectacle. Behind him were moving up 8000 men, of whom but 1700 were Europeans. Perhaps he underrated the army before him, and deemed it merely a dramatic force, which a little real lead and iron would dissipate. Had he known the cost of a battle with such unequal forces, he might, it is supposed, have waited for Stevenson. The enemy lay in the angle of two rivers, one of the legs of the angle stretching in front of the general. It was the Kaitna, a river impassable by artillery owing to the steepness of its banks, save at a ford near the apex. Towards the apex, in which lay the village of Assye, with the artillery and infantry drawn up on that side, general Wellesley directed a flank march, covered by the irregular cavalry. His quick eye at once discovered that the ford at this angle was unguarded, and

that by getting his little army into the angle it would have the enemy on the flank, and its own flanks would be protected from the thirty thousand horsemen of Scindiah. The ford of Peepulgaon was gained without loss; the infantry and artillery crossed, covered by the cavalry, and formed on the other bank, under a fire that now grew hot and telling. The general, in the course of this battle, lost two horses, one piked, the other killed by a round shot, and nearly every one of the staff was hit or had a horse killed. The onset is thus described by a military eye-witness:—"The order of battle being thus skilfully changed, the infantry of Scindiah was compelled to present a new front. They did so with greater ease than was expected. The line they now formed reached with its right up to the Kaitna, and its left upon the village of Assye, on the Juah. The front now presented by the enemy was one vast battery, especially towards the left, so numerous and weighty were the guns, and so thickly were they disposed immediately near the village. The fire was rapid, furious, and terrible in execution. The British guns, few in number, opened as the line advanced, but were almost on the instant silenced. Their gunners dropped fast, and the cattle fell, killed or lacerated, beside them. With the fierceness of the struggle and the fearfulness of the hazard, the undaunted spirit of the general rose. He at once abandoned the guns, and directed an advance with the bayonet. With the main body he soon forced and drove the enemy's right, possessing himself of their guns by a resolute charge. The pickets, with the 74th as a supporting regiment, were on the right of the two lines of infantry, and their attack was distinguished equally by the gallantry it exhibited and the loss it produced. With unquestioned bravery, but bad judgment, the officer commanding, when he might have covered his men in a great degree by a circuitous movement, pushed forward directly against the village of Assye, thus of necessity crossing 'a space swept like a glaciis by the cannon of the enemy.' Overwhelmed by a murderous fire, the gallant band left half its number on the field. The men fell by dozens, and one company of those forming the picket was almost annihilated; it went into action with an officer and fifty men, and in the evening four rank and file were all that survived that bloody day. No wonder that the line, under this tremendous fusilade from the village, supported by continuous showers of grape, was in many places fairly cut through, and that with difficulty it still maintained its ground. Perceiving its disorder, a cloud of Mahratta horsemen stole round the enclosures of Assye unperceived, and charged furiously into ranks already half destroyed. The moment was most critical. The Mussulman sabres were crossing the bayonets of the 74th, and 'feeble and few, but fearless still,' that gallant regiment was desperately resisting. Colonel Maxwell, who had watched the progress of the fight, saw that the moment for action had arrived. The word was given—the British cavalry charged home. Down went the Mahrattas in hundreds beneath the fiery assault of the brave 19th and their gallant supporters, the sepoys; while, unchecked by a tremendous storm of grape and musketry, Maxwell pressed his advantage, and cut through Scindiah's left. The 74th and the light infantry rallied, re-formed, pushed boldly on, and, the second line coming forward to their support, completed



the disorder of the enemy, and prevented any effective attempt to renew a battle the doubtful result of which was thus in a few minutes decided by the promptitude of that well-directed charge. Some of Scindiah's troops fought bravely; the desperate obstinacy with which his gunners stood to the cannon was almost incredible; they remained to the last, and were bayoneted around the guns, which they refused, even in certain defeat, to abandon. The British charge was resistless; but in the enthusiasm of success, at times there is a lack of prudence. The sepoy's rushed wildly on—their elated ardour was uncontrollable; while a mass of the Mahratta horse were arrayed on the hill, ready to rush upon ranks disordered by their own success. But general Wellesley had foreseen and guarded against the evil consequences a too excited courage might produce. The 78th was kept in hand; and, supported by a regiment of native horse, they were now led forward by the general in person. The guns on the left were carried, and the village stormed with the bayonet. In this short but sanguinary attack the 78th were highly distinguished. Their loss, from the severity of the enemy's fire, was severe, and general Wellesley had a horse killed under him. A strong column of the enemy, that had only been partially engaged, now rallied and renewed the battle, joined by a number of Scindiah's gunners and infantry, who had flung themselves as dead upon the ground, and thus escaped the sabres of the British cavalry. Maxwell's brigade, who had re-formed their ranks and breathed their horses, dashed into the still disordered rank of these half rallied troops. A desperate slaughter ensued; the Mahrattas were totally routed, but the British cavalry lost their chivalrous leader, and in the moment of victory Maxwell died in front of battle, pressing on the pursuit of a mingled mob of all arms, who were flying in disorder from the field. The rout was now complete. The sun at noon had shone on a proud array of fifty thousand men drawn up in perfect order—to set upon a broken host, flying in dispersed bodies from a field on which the whole *materiel* of an army remained abandoned. Under more desperate circumstances a battle was never fought; and, opposed by overwhelming masses, a victory was never more completely won.\* There can be little doubt that general Wellesley was never nearer to defeat than in his first battle, and that it was a dangerous mistake to engage without the co-operation of Stevenson. It may be asked if the mistake did not date further back—to the division of the army into two; but the impossibility of passing with the whole force through the same defiles, and the dread lest the enemy might move round by one whilst Wellesley and Stevenson were coming round by the other, must be held to justify the separation. But if Stevenson was only eight miles from the field of Assye when the battle was being fought, it is open to question if such a desperate hazard was necessary. The sacrifice of life on the British side was probably greater than would have resulted from a combined attack; but perhaps the very desperation of the assault gained a more decisive success than a scientific procedure. The enemy left on the field two thousand dead, and their wounded probably amounted to six thousand. They lost almost

\* Maxwell's Life of Wellington, vol. i. ch. viii.

their whole artillery—ninety-eight guns were taken,—and several stand of colours; but what was more than numerical and material loss, the moral effect was tremendous. That day could never be forgotten, when the best army that India by possibility could ever produce, drilled and officered by Europeans, with a large and scientific artillery, was stormed and routed from the field by a fifth of its force, with a valour and fighting energy unknown to Asiatics. After the necessary detachments were made in the evening—when the wounded were sent away and the dead buried, fourteen hundred men kept the field of battle at night, on which nearly sixty thousand had contended during the day. The army of Scindiah, after a rally and short rest at twelve miles from Assye, pursued its flight over the Ghauts, alarmed by the advance of Stevenson's fresh troops. The victory of Lassawarree, and the taking of Delhi by Lake, inflicted ruin in another direction upon Scindiah and his auxiliaries. With the rajah of Berar and his cavalry army he had made a couple of marches, as if to cross the Casserbury Ghaut, having replenished himself with guns drawn out of Burham-poor. Wellesley considered that by marching upon Asseerghur and Nagpoor he might now conclude the war by cutting through the roots of the confederates; but he found it impossible to move for some time, owing to the hostility of the country, the difficulty of getting supplies, and the heavy incumbrance of the wounded. He was also afraid by moving north he should leave the road open southward to the Nizam's dominions, and this was particularly undesirable, because so long as the enemy could live upon the plunder of territories not their own, so long would it be profitable to them to continue the war. At last, when he was in a position to move, he adopted his former plan of dividing the army into two—an offensive and defensive force. His own division now became the defensive arm, whilst colonel Stevenson was ordered to attack Asseerghur. We have lit upon the following passage in the Wellington despatches, in which the general describes his present operations under the figure before made use of in reference to those preceding the battle of Assye:—"Since the battle of Assye, I have been like a man who fights with one hand and defends himself with the other. With colonel Stevenson's corps I have acted offensively, and have taken Asseerghur; and with my own I have covered his operations and defended the territories of the Nizam and the Peshwah. In doing this, I have made some terrible marches, but I have been remarkably fortunate; first in stopping the enemy when they intended to pass to the southward through the Casserbury Ghaut, and afterwards, by a rapid march to the northward, in stopping Scindiah when he was moving to interrupt colonel Stevenson's operations against Asseerghur, in which he would otherwise have undoubtedly succeeded." It will be seen from this that colonel Stevenson had been successful in his enterprise against Burhampoor and Asseerghur, taking possession of the former without opposition, and of the latter after an attack of only three or four days. But nothing could have enabled the colonel to obtain this great advantage but the wonderful marching power to which his chief had brought the troops, and the skill with which they were manœuvred to counteract the rapid cavalry movements of the enemy, and make vain his diversions and attempts to get

past. At length, learning that considerable desertion was taking place in Scindiah's army, general Wellesley thought the time had come to move forward and strike another blow against his half-spent foe. Accordingly, on the 25th of October 1803, he broke up his camp near Aurangabad, and moved past that city to the south-eastward, the rajah of Berar moving in the same direction on a parallel line. An attempt of the enemy to cut off a large convoy of cattle was defeated by the bravery of the native infantry and cavalry of Mysore. General Wellesley was now convinced that the rajah was only desirous to regain his own territories; and he was glad, when Scindiah sent a vakeel to negotiate for a truce, to grant it on certain conditions, in order that he might be at liberty to follow the other confederate on his homeward retreat. As it turned out, however, Scindiah's object was only to deceive; and when it was found that he had no idea of withdrawing to a position in Berar, twenty coss (*i. e.*, forty miles) east of Ellichpoor, the truce was not observed by the British general. The division under colonel Stevenson was now considerably to the north, and was ordered to attack the strong fortress of Gawilghur, and Wellesley marched north to cover him. Scindiah, instead of being forty miles to the east, was in close communication with the forces of the rajah, and they were both hovering like gloomy clouds over the small army of Stevenson, when the covering division came up, just in critical time, and the enemy were seen—a countless host, glittering through volumes of dust—moving off in the distance. The vakeels or envoys of Scindiah now endeavoured to dissuade the English general from attacking the rajah, on the ground of the truce; Wellesley replied that there was no truce with Ragojee Bhonslah, the general of Berar, and that Scindiah, being where he was, himself could not claim its protection. Stevenson's force now effected a junction with Wellesley's, and as they approached Argaum, the Indian army was distinguished, drawn up in battle array, stationed before the village. It was late in the day when the battle commenced; Wellesley was too glad to be able to take advantage of the enemy's temerity to put off the engagement to the morrow, and he accordingly marched on in one column, covered by the British cavalry, on the flank exposed to the enemy as it marched across their line into a position immediately opposite Argaum, and on the other flank by the native horse of Mogul and Mysore. When in position over against the enemy's line, which stretched over five miles, the British wheeled round and faced Scindiah, being drawn up in two lines. The general briefly describes what ensued:—

“When formed, the whole advanced in the greatest order; the 74th and 78th regiments were attacked by a large body (supposed to be Persians\*), and all these were destroyed. Scindiah's cavalry charged the 1st battalion, 6th regiment, which were on the left of our line, and were repulsed; and their whole line retired in disorder before our troops, leaving in our hands thirty-eight pieces of cannon and all their ammunition. The British cavalry then pursued them for several miles, destroyed great numbers, and took many elephants and camels, and much baggage. The Mogul and Mysore cavalry

\* Arabs, it was found afterwards.

also pursued the fugitives, and did them great mischief. Some of the latter are still following them, and I have sent out this morning all of the Mysore, Mogul, and Mahratta cavalry, in order to secure as many advantages from this victory as can be gained, and complete the enemy's confusion. For the reason stated in the beginning of this letter, the action did not commence till late in the day, and, unfortunately, sufficient daylight did not remain to do all that I could have wished; but the cavalry continued their pursuit by moonlight, and all the troops were under arms till a late hour in the night." This victory, which was not attended to the victors with the same tremendous loss which they suffered at Assye, was a finishing stroke to the confederate princes. Both divisions of the British army marched to the siege of Gawilghur, Stevenson being allotted the principal attack on this hitherto impregnable place. The outer defences of the fort were soon breached and taken, and the inner fort was escalated without difficulty, the garrison being paralysed by the British mode of taking a fortress, which in native siege would have stood out for many months. Great numbers, however, although they did not defend their walls, fought and died at the gates and in the streets with useless bravery, among the rest the gallant Rajpoot commanders. It was now at last evident to the native princes that they had no alternative but unconditional submission; and negotiations were therefore renewed for a treaty. So thoroughly was the rajah of Berar frightened into sincerity that in two days the treaty was agreed upon. That with Scindiah followed, and was concluded with the same precipitate rapidity. There was a considerable cession of territory to the British and their allies; foreigners were not to be retained or taken into the rajah's service; and he entirely withdrew from the Mahratta confederacy. Scindiah ceded all that lay between the rivers Ganges and Jumna, being the fertile territory of Dooab, besides lesser but important and valuable possessions; he also gave up all rights over Shah Allum, in the possession of whose person he held in his hands the claims of the old traditional sovereignty, and he agreed to employ no Frenchmen in his service, nor the subjects of any power hostile to Great Britain. This treaty was ratified on the 4th of January 1804. The applause which greeted the general was not the less gratifying that his brother, as governor-general, was the medium of expressing it. We have not considered it necessary to go into the exact particulars of the treaty; but it was justly described as "in the highest degree advantageous, honourable, and glorious to the British Government." As a diplomatist in dealing with those astute princes, as a general in cutting with the sword through their web of silken deceits, as an administrator in his government of Mysore, he had been equally fortunate and deservedly successful. We cannot help feeling, as we read Arthur Wellesley's biography, how much the brilliant talent of his elder brother pioneered his own, and provided him, in fact, with a ready-made career; he had opportunities of exhibiting his powers, upon the road to attaining which perhaps a hundred equally gifted soldiers fall, but at the same time fortune and opportunity seldom find in those on whom they are bestowed such rare merits to match them, and to justify their bestowal. It was fortunate for our Indian empire that there was such a conjunction at a time of extreme peril;



and this conjunction of the brothers Wellesley, which saved our Indian empire, was afterwards destined, its happy effects having been thus tested, to save Europe. The great Mahratta war was now at an end, but not so general Wellesley's labours; for the disbanded armies resolved themselves into bandittis, which for a long time kept the country in the condition of the sea after a storm—uneasy, and covered with froth and surf. The territories of the Nizam, which, during the wars had been protected by that little shield-like army that kept covering them from the enemy, were now extremely disturbed, and compelled the general to keep up a force on the Godavery; and the feeble Peishwah had not established his authority more than five miles from his capital; beyond that distance the country was overrun with thieves. The feebleness of the latter's government made general Wellesley almost despair of Indian princes; but he had such a determined will for putting things right, and reducing chaos to order, that with such a state of things he could not rest content, or leave it to time to absorb the mischievous elements cast abroad by war. Even Scindiah besought his assistance against his own discharged soldiers; and the unfriendly servants of the Nizam, who had treated him as an enemy when he came before to deliver them, now cried out for him to rid them of the banditti; but on his arrival he found that the latter had decamped, and that the killadars and amildars had succumbed just before his arrival, and had sent away these troublesome vermin fat with tribute. However, he determined that he would not let them escape him, particularly as they had been successful in an attack upon one of his corps, and an appearance of success might suddenly rear them into an enemy of vast dimensions. He had already experienced, in the case of the King of the Two Worlds, how an army of banditti might roll along in India until it became, by attraction, a moving, first-rate barbaric power,—a great army unconnected with any territory, and headed by a king whose dominions were all he could overrun, and his revenue all he could plunder. Leaving his camp in the neighbourhood of Ahmednuggur, he advanced by forced marches to near Perinda, where he came up with the predatory army, and, although they beat an undignified retreat on his approach, he was able to inflict severe punishment upon their rear, and captured guns and baggage, besides cutting up the rearguard. A spirited pursuit followed, and at length the retreating force broke up and dissolved itself over the country, leaving fine booty for their dusty and blood-stained pursuers. General Wellesley speaks of this as the greatest feat he ever saw performed by infantry. They marched sixty miles between the morning of the 4th of February and noon of the 5th, and were in with the cavalry at the attack upon the freebooters. It is a specimen of the success with which General Wellesley had taught his soldiers to march; and it was as much by good marching as by good fighting that his whole military career was so glorious. We may mention, in drawing near the close of this section of the life of the great Irish general, that his conduct of the campaigns in which he had led them was appreciated as much by the officers of his command as by the authorities at a distance. A very warm and flattering address, accompanied by a service of plate worth two thousand guineas, was presented to him as a memorial of his Indian wars. These were now nearly at an end. Holkar still gave

uneasiness, and the conqueror of Scindiah rightly predicted the course the other great Mahratta chief would be likely to adopt. General Wellesley, however, felt that there could be no difficulty in dealing with this last of the confederates, and, being personally an object of dislike to the Peishwah, who refused to adopt measures, although obviously advantageous, simply because suggested by him, he obtained leave to return to England, with an instinct perhaps of greater work before him. In writing to colonel Stevenson shortly before, his expression of a wish that by transference to England the colonel might have the satisfaction of serving in a war "which goes to the existence of Great Britain as a nation," obviously reveals his own desire to share in the grander struggle with the revolution. Indian glories, though gorgeous, were distant; they have never fired the enthusiasm of the English. Indian foes were contemptible. The spectators of the war were only the thin circle of official and mercantile English in India—at home the world was gazing. General Wellesley had given proofs of the possession of military talents and force of character which rendered him certain of an opportunity of exhibiting them in Europe. Lord Camden wrote thus to the Marquis of Wellesley from the colonial office:—

"The brilliant and decisive success that has attended the progress of the armies which have been employed in the East Indies, under the command of general Lake and major-general Wellesley, is justly appreciated by his Majesty; and I have, in consequence, received his Majesty's commands to inform your lordship, that in consideration of the meritorious services and gallant conduct of general Lake, his Majesty has been graciously pleased to create him a peer of the United Kingdom of England and Ireland; and that, in consideration also of the eminent and brilliant services of major-general Wellesley, his Majesty has been graciously pleased to direct that the insignia of the most honourable order of the Bath should be transmitted to that officer; and that he may immediately evince his sense of major-general Wellesley's merits and services, his Majesty has further directed that he shall be created an extra knight companion of that order, and that his creation and investiture shall not wait for a succession to a regular vacancy therein."

In addition to this recognition from home, Sir Arthur Wellesley, as we must now call him for a while, received a splendid sword from Anglo-India; and when his intention of returning to England was announced, addresses were presented to him from native communities which had enjoyed unusual peace and security under his firm and wholly conscientious rule, and from numerous public bodies. There followed, on his return, a short interval of ordinary life; he received a staff appointment; he commanded the troops at Hastings, in Sussex; he became colonel of his regiment on the death of Lord Cornwallis; he was returned to Parliament for the borough of Rye; he took to himself a wife in the person of the third daughter of the Earl of Longford. In parliament he had an opportunity of defending his brother, who was pertinaciously assailed by a Mr Paull, who accused him of misappropriation and lavish extravagance. The accuser was very unsuccessful, and shortly lost his seat. When the charges were further pressed by Lord Folkestone, Sir Arthur urged that the

house should take them into consideration at once, and give an immediate vote upon them. This course was pursued, and after a long and hot debate, the conclusion was, that a motion, ascribing the marquis's acts to ardent zeal for his country, was carried by 180 to 29. In 1807 Sir Arthur Wellesley accepted the post of chief secretary for Ireland under the Portland administration, making it a condition that it should not impede or interfere with his military promotion or pursuits. This appointment was very satisfactory to the Protestant corporation of Dublin, as it was well known that the stern disciplinarian in the army was the equivalent of this in civil affairs—a firm Tory, as Toryism then read. He was presented with the freedom of the city in a silver snuff-box, while his chief, the Duke of Richmond, received the same honour in one of gold. Although belonging to a professedly Protestant administration, Sir Arthur was studiously just and conciliatory to the Roman Catholics; what he had taken in hand, however, the task of keeping Ireland quiet, and forcibly preventing the Catholics from giving trouble, he carried out with cool determination. His first prescriptions were borrowed from the outgone government of the Duke of Bedford, and were therefore really Whig measures which, for want of time, had not been passed. They were an "Insurrection Act" and an "Arms Act." The former gave the lord-lieutenant the power of proclaiming disturbed counties, and the magistrates had, in proclaimed districts, extreme powers of surveillance conferred upon them. The Arms Act was to be universal, and was intended completely to disarm the peasantry, and reduce them to the condition of the Jews under Philistine rule. It fell to Sir Arthur's unfortunate lot to defend Dr. Duigenan's appointment as a privy councillor, on the ground of his conversance with ecclesiastical matters. His statement in the debate that he did not care what religion a man was, so long as he was useful, was a very just and liberal sentiment. Dr Duigenan was useful as an ecclesiastical lawyer, though terribly damaging to his own opinion when he got upon his Roman Catholic Rosinante. The passing of the Dublin Police Bill was the only other important act in Sir Arthur's secretaryship. This was the germ of that splendid force which has more than once saved Ireland without the dreadful intervention of what is called martial law, and by nipping insurrection in the bud, has prevented the necessity of extreme measures with rebels. It has not been so successful in coping with crime as in keeping down rebellion, but it was for the latter purpose that Sir Arthur Wellesley, who had earned such valuable experience in the Deccan, originated the force in Dublin. The city had previously been guarded by obsolete watchmen.

It is highly to the credit of this stern military chief secretary, that in those uncharitable histories which have been written from the nationalist point of view, nothing whatever to the discredit of Sir Arthur's administration of Ireland can be adduced. No doubt it was a most grateful change when he found himself for a while relieved from his irksome post by being appointed to a command under Lord Cathcart in the Danish expedition. In this service he gained fresh distinction, being sent to attack a body of Danish troops which was hovering near for the relief of Copenhagen, and daily receiving reinforcements

of regulars and militia. He conducted his force with great skill, and in a smart action near Kioge, obtained a complete victory over the Danes, more than 1000 prisoners were taken, many were killed and wounded, the rest were scattered, and ten guns were captured. When Copenhagen was ready to capitulate, Sir Arthur Wellesley, who had remained in the interior of the country to prevent an insurrection of the population, and had performed this duty with his usual efficiency, taking care to guard against all unnecessary violence or annoyance to non-combatants, was called by Lord Cathcart, with two other officers, to draw up and carry out the terms of the capitulation. This great and necessary, but thoroughly unscrupulous achievement, having been carried out with complete success—indeed, with the co-operation, in such leading positions, of Nelson and Wellington, failure would have been impossible—the young general returned to driving the plough of Irish government. If the seizure of the Danish fleet was reprehensible—and in the stupendous war that our little England was then engaged in, we confess to the opinion that her necessity had no law,—the general who covered, and the admiral who effected England's will were in no degree responsible. Sir Arthur Wellesley was frequently obliged to speak in parliament on Irish questions during the interval that ensued; and there, as well as in his bureau in Dublin, he was the general all over—quiet, decisive, keen, perfect in judgment, and never behindhand or ill-informed in any business of his department. In his home duties he was distinguished by a pleasant courtesy. The grey eye, albeit keen, was friendly and single; the firm mouth, although the lips were thin and compressed, could smile with a healthy spring sunshine; from putting a just value on time, his manner sometimes seemed brusque, but it was never violent or offensive. He was altogether most admirably suited for an Irish chief secretary, for which post it is usual to select some Irish gentleman of family and capacity, or an Englishman connected with Ireland by the ties of property. When, however, it was determined to send an army to the Continent, there was obviously no man more fitted for the command of it than the Irish secretary; for his civil duties he easily found an efficient temporary substitute, while his unmatched genius for war was wasted upon the desert airs of Dublin. Although so youthful, he had already saved an empire, and proved his ability by the true test of unfailing success. In his first European skirmish he had given a good omen of what the Indian general could do in civilised warfare, in which England, since the days of Marlborough, had been singularly unfortunate. Besides the testimonial of a brother's splendid talents, already proved in the service of the state, he was himself the man who possessed most of the confidence of the army, and so far as his merits and name had percolated through English density, the faith of the country reposed in him. But it will be seen that, even in his case, the disgusting love of retardation which prevails in the high official mind, and overpowers every other consideration, until national indignation or necessity intervenes, stopped him for a while in his career; Sir Arthur having been removed from the civil office he filled so well, to the military office he filled better, when he had turned the European tide by two victories, with the prevalence of a jealous after-thought, was followed and superseded by two of England's usual muddling



generals. Fortunately, however, these incapables did not come up in time to prevent the junior they were sent in pursuit of from showing, before their arrival, that England could still win a battle, reviving the glories of Blenheim and Ramillies. Without attempting to give the reader a view of the position of Europe, or even of Spain and Portugal, we may briefly recall the facts that drew England into a land war with Napoleon. Spain, notwithstanding the hostile indication she had given before Jena, was close in the traditional alliance with France, and her best troops were serving in Germany against the enemies of the latter, while the secret provisions of the treaty of Fontainebleau for the partition of Portugal, had given a pretext to the French to enter Spain. When dissensions in the royal family caused first the King and Queen, and then Prince Ferdinand, to throw themselves into the arms, and appeal to the judgment, of the French Cæsar, Napoleon immediately seized Spain with his armies; and after offering the crown to Lucien Buonaparte, by whom it was refused, he conferred it upon his brother Joseph, who was promoted from Naples to Madrid. The brutality of Napoleon's generals soon maddened the Spanish people, who beheld the throne of the Bourbons usurped by a French puppet, and in whom pride, affection, and religion were outraged by those domineering infidel soldiers. The consequence was an attempt to throw off the yoke which, in their folly, they had allowed Napoleon to impose upon them. Under the circumstances their efforts were surprising, and notwithstanding bad generals, they gave proof of still possessing the qualities which formerly made Spain glorious. The French found it the utmost they could do to stand their ground. Dupont and his division of the army was obliged to capitulate, and, most alarming of all, England was induced to promise a diversion in Portugal. That country had been invaded by the united arms of France and Spain (ere yet the Spaniards had found out their allies), with the view of forming a single and undivided Iberia. The Portuguese royal family had been obliged to escape to the Brazils, and Marshal Junot commanded the portion of the French army now in occupation of Portugal. Such was the state of affairs when the force which had for some time been mustering at Cork was put under the orders of Sir Arthur Wellesley, and ordered to sail for Portugal. It can easily be imagined the joy with which the young general welcomed this splendid opportunity, as he perused the letters of the commander-in-chief and Lord Castlereagh, and found that they bestowed upon him the fullest power and responsibility. At the same time, small-minded officialism showed itself in restrictions upon the prerogative which older generals had assumed, though without strict warrant, in such matters as promotions and courts-martial. But both in the restrictions and responsibility imposed, it was clear that he was designated to the full command of the expedition, and there is plain evidence in the letters that "Sir Hew and Sir Harry" were riders afterwards devised. With the rapidity which he always exhibited in action, Sir Arthur Wellesley took the command of his force at Cork, and during the few days it was detained, waiting for an unfavourable wind to cease, he showed his old Indian foresight in providing for the wants of his army. He exchanged communications in the same interval with the Government, in which the understanding that he was in full command plainly appears.

The following passage from Sir Arthur Wellesley's despatch to Lord Castlereagh will be to the reader a pivot on which the general's whole project of the expedition, as it would have been if left in his hands, turns :—

“The enemy's position in the neighbourhood of the Tagus appears so strong that it is considered impracticable to make a landing in that quarter without diverting the attention by an attack to the northwards. The plans of attack on Cascaes Bay would fail, because it is stated to be impossible to approach the coast sufficiently with the large ships to silence the Fort of Cascaes, and the other works erected for the defence of the bay ; and although the ships-of-war might be able to pass Fort St Julien, the Fort Bugio, and the other works by which the entrance of the Tagus is defended, it is not imagined that these forts could be silenced by their fire as to enable the troops to land at Pasco d'Arcos as was proposed. Between Cascaes and the Cape Roca, and to the northward of Cape Roca, there are small bays, in which small bodies of men could be disembarked in moderate weather. But the surf on the whole of the coast of Portugal is great, and the disembarkation in these bays of the last division of the troops and of their necessary stores and provisions would be precarious, even if a favourable place should have been found for the disembarkation of the first. The vicinity of the enemy, and the want of resources in the country in the neighbourhood of the Rock of Lisbon for the movement of the necessary stores and provisions for the army, would increase the embarrassment of a disembarkation in that quarter. All these considerations, combined with a due sense of the advantages which I shall derive from the co-operation of the Portuguese troops, have induced me to decide in favour of a landing to the northward.

“There is no place to the northward of Lisbon which would at all answer for a place of disembarkation nearer than Mondego, excepting, possibly, Peniche. But the fort upon that peninsula is strong, and is occupied by the enemy with a sufficient garrison, and could not be taken without heavy ordnance? And the ordnance and ammunition which your lordship informed me in your despatch of the 30th June was to sail from the river on that day, has not yet arrived.

“I shall consider the possession of the harbour and city of Lisbon as the immediate object of our operations, which must be attained by that of the forts by which the entrance of the Tagus is guarded. It is probable that it will be necessary to attack two of these forts, Cascaes and St Julien, with heavy ordnance, and it is obvious that the enemy will not allow us to undertake these operations till he shall have been driven from the field.

“The position which he would take for the defence of these posts must be all turned from the heights to the northward of Lisbon ; and, indeed, unless prevented by our possession of these heights the enemy would have it in his power to renew the contest in different positions until he should be driven into Lisbon or retire. The last will be rendered difficult, if not impossible, excepting in boats across the Tagus, by the adoption of the line of the attack by the height to the northward, which I also prefer, as being more likely to bring the contest to the issue of a battle in the field.”

This determination to land at Mondego Bay was taken by Sir Arthur Wellesley, who had preceded his army in a swift frigate after consultation with the Supreme Junta at Oporto. The bishop of that place was at the head of this extemporised government, and not only gave the English general a cordial reception, but promised all that his force might stand in need of in the way of food supplies. The Portuguese received in return large supplies of arms, and ammunition, and money. When Sir Arthur Wellesley's whole force was disembarked on the shore of Mondego Bay it numbered thirteen thousand men. This was but a handful to one who had moved the locust armies of India, which were attended by a multitude of camp followers and baggage carriers like the extended shadow of a moving body. This attendant multitude was as inevitable if more necessary than a shadow, and Sir Arthur had learned to make the whole move with order and celerity in obedience to his will. Of course, the disposition of a large army in the field is a distinct branch of knowledge; but still, to know how to march and subsist enormous masses of men was no little step in the art of war. In both the young general was a proficient, and his little army of thirteen thousand men he could manage as a chess-player his pieces. He afterwards observed, in one of his despatches, the awkwardness of old generals, young in experience, in handling large forces. This is the especial shortcoming of English officers, owing to the small numbers of our army; and the French marshals, without the same excuse, were remarked for a similar defect in the great Franco-Prussian war. Scarcely had the forces been disembarked, when, without a moment's indecision, they were directed against the foe. The French position was far from good. Junot had been obliged by the insurrectionary conflagrations that were breaking out in various parts of the country to scatter his forces. The people were everywhere mustering in arms; the Spanish troops which had come as allies remained as foes; a Portuguese army, under the command of General Freire, was ready to support the English. Laborde was in command of three or four thousand, and hovered at a distance; Loison, with 7500 men, was detached to assist him; other supports had been held off by General Spencer's division, which, to the last moment, hovered off the coast of Galicia, but just came up in time to take part in the landing. Aware of the supersession that awaited him, Sir Arthur determined to strike, if possible, a hard blow at the disappointed forces of the French before the British generals in pursuit came up to tie his hands. The Portuguese general Freire had his own plans, in which, not being indulged, as they would have withdrawn the English from the sea as a base of operations, he stood sulkily aloof, and would only, after some sharp reproaches, furnish a small contingent. The food depot at Leyria had been collected for the use of the English army; but when it was rescued from the antennæ of the French it was coolly claimed by Freire, who wanted also to have his army rationed with ours, a demand which Sir Arthur point blank refused. The way in which he dealt with the Portuguese leader was very characteristic, for he never allowed respect of persons to interfere with duty, and spoke his mind with an unvarnished plainness very disconcerting to pompous officials and blundering generals. He thus wrote to his agent (Colonel Grant) in the Portuguese camp, directing him to communicate the contents to Freire —

"As to his plan of operations I do not see what purpose it is to answer in view to the result of the campaign ; and I certainly never can give my sanction to anything which appears so useless, so crudely digested, so far as even to promise to communicate with or aid the person who is carrying it into execution.

"I have one proposition to make to General Freire, that is, that he should send me his cavalry and his light infantry, and a corps of one thousand regular infantry, to be employed as I choose, and I engage to give these men their bread ; and for meat, wine, and forage they shall fare as well as our troops. If he will accept of this proposition let his troops join me to-morrow at Alcobaca. If he does not, I beg that he will carry on such operations as he may think proper.

"I shall execute the orders which I have received from my Government without the assistance of the Portuguese Government ; and General Freire will have to justify himself with the existing Government of Portugal, and his prince, and with the world, for having omitted to stand forward on this interesting occasion, and for having refused to send me the assistance which it is in his power to give."

This epistle must have very much astonished General Freire, and he delivered over a small force of infantry and cavalry to the commander of the English, and stood aside with the rest of his forces to watch the result. It was with Junot's lieutenants that Sir Arthur had to deal ; Junot himself was obliged to stay behind with his heel upon Lisbon, although he at last left it to Travot, too late to succour Laborde, who, with the garrison of Peniche had only four thousand men ; Loison, with a force double as large, was not far from Laborde ; but Sir Arthur, by his rapidity, prevented a junction from taking place, and awed the enemy back from the extended position of Batalha, first to Obidos, then to Rolicia. He lost no time in advancing to the attack of this strong vantage-ground. His movements had already forced Loison—for whom Laborde was vainly feeling on his right, hoping that he might still come to the rescue—to retire upon Santarem. The smaller force was thus left in the lurch to defend the splendid mountain passes of Rolicia against the whole British army. Further, Laborde dared not retreat, as he would be cut off from Loison, or the road to Lisbon would be open. The first fighting took place at Obidos, where the French had left some pickets. They were driven out and pursued too eagerly by the riflemen, who were nearly cut off in the distant advanced ground, and with difficulty drawn back to their supports. The commander of the English now came in sight of the position of the French ; the highest eagle was planted far up, from whence could be seen the Atlantic and the "hollow ships" of the attacking force. Not a moment was lost ; the plan was to penetrate the mountains on the enemy's left with one force ; this, as the least likely to have much employment, was composed of Portuguese. A stronger force performed a similar duty on the enemy's right, watching also against Loison's approach. The brigades of Hill, Nightingale, Crawford, and Fane, with the cavalry and artillery, moved to the attack in front. Here the battle commenced, for the two outflanking forces met with unexpected difficulties in the mountains, and their attacks did not combine with that in the centre. But one distinguishing trait in the general who



commanded was, that he was able to dare. An unflinching will pressed on the British bayonets; the lives of his men were never muddled away as they would have been by the regulation British general; but when one sudden outpour of blood was needed to win a battle, Sir Arthur Wellesley never shrunk from demanding it of his troops. A peculiar interest attaches to the battle of Rolica, from the fact that it was the first collision in the Peninsula of British and French bayonets; and that it was a sort of test which had a good deal to do with the feelings of both sides in succeeding battles. The French had an unbroken prestige; the English had to prove their manhood against the recollection of the miserable bungling, retreats, failures, and lost opportunities of the Duke of York's campaign.

The following passage from Maxwell's spirited and soldierlike narration gives a clear idea of the progress of the battle, after Laborde's rapid shifting of position, which was so extremely masterly:—

"Laborde's first position soon became untenable, his rear was endangered; and, without a moment's indecision, he fell farther back and occupied the mountain passes. Nothing could be stronger than this second position. The way by which the assailants had to ascend was up ravines rather than paths, more practicable for goats than men, so steep that in many parts a slip of the foot would have been fatal; in some parts overgrown with briars, and in others impeded by fragments of rock. Of these the centre was more practicable, and the 29th and 9th regiments advanced to storm it under the fire of the British guns; while a cloud of skirmishers vanished among rocks and copse-wood, connecting the advance of the different columns, and feeling or forcing their way through obstacles that a vigorous defence had rendered almost insurmountable. Gradually the scene became more animated as on each of the several points of attack the assailants and the assailed became warmly engaged. The spattering fusilade of the light troops was lost in the rolling volley of the columns, which, with the deeper boom of cannon, echoed loudly through the mountains. The hollow watercourses, by which the British had attacked, hid for a time the combatants from view, but the smoke wreathing over the ravines showed by its density the place where the work of death went fastest on. On the left Laborde gradually lost ground, but on the right his exertions were redoubled, in the desperate hope that Loison might yet come up, and thus retrieve the fortune of the day. Here, of course, the struggle became bloodiest. While the flank movements of Trant and Ferguson had not yet proved themselves successful, the 9th and 29th regiments forced their respective passes, and gained the plateau of the hill. They reached the summit out of breath, their ranks disordered, and their formation requiring a few minutes to correct. At that moment a fine battalion of Laborde's came boldly forward, delivered a shattering volley, and broke through the centre of the British regiment. But the 29th were broken, not beaten, and the 9th came on to their assistance. The officers discharged their duties nobly, and the men fought, and formed, and held their ground with desperate obstinacy, until Ferguson won the right flank of the position; when, aware that the chance of support was hopeless, Laborde retreated in excellent order, covering the regressive movement of his battalions by repeated charges of his cavalry.

"His last stand was made at Zambugeira. The British, now come up in force, rendered opposition unavailing, and falling back on Quinta de Bugagliera, he united his beaten corps with the troops he had detached to look after Loison at Segura; thence abandoning his guns, he marched by the pass of Runa, and gained Montachique by a severe night march, leaving the line of Torres Vedras uncovered, and consequently Lisbon open to the advance of the British army."

It must be remembered that the disparity of forces in this battle was really in favour of the French, as only a small portion of the British army was engaged. The 29th regiment did what none but English soldiers would, they stood and fought after being broken through; they displayed for the first time that quality which Napoleon remarked in our soldiers, of not knowing when they were beaten. The loss of the troops engaged was great; more than a fifth fell on each side. After the battle Sir Arthur Wellesley was on the point of marching direct upon Lisbon, when news came in of the arrival at Peniche of General Anstruther with another brigade and stores, and it was necessary to make a flank movement to cover their disembarkation. This unfortunately gave time for one of the superseding generals, Sir Harry Burrard, to come to the rescue of the French. Sir Hew Dalrymple, Governor of Gibraltar, was for a moment restrained by hearing of Sir Arthur Wellesley's success, but he was ready to follow Sir Harry. Fortunately, before the latter could disembark Marshal Junot himself advanced to the attack. The young general was in despair, when this happy circumstance gave him the opportunity of winning another battle in spite of his senior's obstinate determination that nothing more should be done until the arrival of Sir John Moore. An interview on board the frigate left Sir Arthur without hope of penetrating that solid and impenetrable obstinacy which distinguishes the true Englishman, the best quality for a soldier, but the worst for a general. Through the night, however, Junot was on the march, in the hope of surprising the islanders; in this design he failed, for according to the custom of the British army, the troops were under arms before day. At seven o'clock the battle began; all the morning Sir Harry heard the guns booming, and arriving in the heat of the action, he did not venture to take the army out of the hands of the general who was fighting it; but it will appear how he stopped the career of victory. The British were posted upon heights; the French attacked them with the utmost bravery, but were met on their way by a heavy fire of artillery, and as they topped the heights, reserved volleys of musketry, and then an iron torrent of British bayonets, burst upon them and drove them down the hill-side with immense slaughter. In Soltignac's attack on the British left his whole front rank fell where it stood, and in death preserved its line. On the English side a remarkable instance of bravery was given by the 71st and 82d regiments, who having captured six guns were resting in a hollow, when suddenly attacked by Brennier. Retreating up the hill, while the French descended, they reformed on the height, and charged down upon the enemy, from whom they retook the guns and captured their general. As a last effort Kellerman's reserve of the French Grenadiers charged upon the centre. The 43rd met them on the top and reeled from the shock; but reforming in a moment, this

regiment drove the Grenadiers over the brow of the hill with the bayonet, and swept them down the declivity. The whole French infantry had now been in action and was in disorder; Soltignac and Brennier's divisions were almost cut off, and would infallibly have been captured; the road to Torres Vedras was commanded by the British; the French were in disorderly retreat; when suddenly Sir Harry Burrard, who up to that time had been a mortified spectator of a battle in which he dared not interfere, determined to assert himself on the field, and the only way to do this was to order the direct opposite of Sir Arthur Wellesley's advice. The latter with great warmth pressed for pursuit and an immediate advance upon Lisbon, which was now virtually their own; his incapable superior, in opposition to this advice, ordered a halt, and actually allowed the French divisions which were cut off to march round Ferguson's brigade and rejoin the main body of their army. Junot, in joyful perplexity at this miraculous deliverance and arrest of the victors—for which he could account on no French principles of war—drew together his beaten infantry, covered it by a cavalry superior in force to the British, and marched off to the position of Torres Vedras, the same which he had held on the preceding day. Sir Arthur, in his report of the action to Sir H. Burrard, said it was the only one in which he had been engaged wherein no mistake was made by the officers who carried out his orders. He thus summed the result: "In this action, in which the whole of the French force in Portugal was employed under the command of the Duke d'Abrantes in person, in which the enemy was certainly superior in cavalry and artillery, and in which not more than half the British army was actually engaged, he has sustained a signal defeat, and has lost thirteen pieces of cannon, twenty-three ammunition waggons, with powder, shells, stores of various descriptions, and 20,000 rounds of musket ammunition. One general has been wounded (Brennier) and taken prisoner, and a great many officers and soldiers have been killed, wounded, and taken." Sir Arthur is said to have passed the bounds of courtesy to his superior officer on the field of battle; but next day Sir Hew Dalrymple, no longer restrained by delicacy when he heard that Sir Harry Burrard was in command, landed and superseded both the victor and the incapable who had so fatally asserted an authority which he was to hold only for a few hours. An advance was then determined, the new commander taking the advice of the junior officer; but just as the order was issued Kellerman, commissioned by Junot, arrived in camp to propose terms. The position of the French in Portugal was hopeless; Lisbon could not be saved; no reinforcement could be expected from Spain; their prestige gone they would be swallowed up by the country, which the spell of victory alone had enabled them to hold; new defeats, final surrender, were all that lay before them; and accordingly it was determined to try what could be done by the wit of a Frenchman against the Philistine dulness of British generals. The Convention of Cintra was the result of the negotiations. It stipulated for the evacuation of Portugal by the French with arms and baggage, and transport to France with all their plunder, the fortresses in their hands being delivered up to the British. Sir Arthur Wellesley opposed much of the Convention, and the discontent of the army and of England was

greatly excited against the generals who concluded it. The desire to give up his command was expressed in several communications to Lord Castlereagh, and his mortification increased as he, the late victorious commander of the army, found his advice passed over and his influence with his superiors on the decline. It was some compensation that the major-generals and generals of brigade who had served under him during his brief command, felt so strongly that they presented Sir Arthur with the following address which must have excited great irritation in the two men who had now taken everything out of his hands.

“Camp at St Antonio de Tojal.

“MY DEAR SIR,—Anxious to manifest the high esteem and respect we bear towards you, and the satisfaction we must ever feel in having had the fortune to serve under your command, we have this day directed a piece of plate, value 1,000 guineas, to be prepared and presented to you.

“The enclosed inscription, which we have ordered to be engraved on it, expresses our feelings on this occasion.

“We have the honour to be, &c.,

“B. SPENCER, Major-Gen.

“R. HILL, Major-Gen.

“R. FERGUSON, Major-Gen.

“M. NIGHTINGALE, Brig.-Gen.

“B. F. BOWES, Brig.-Gen.

“H. FANE, Brig.-Gen.

“J. CATLIN CRAWFORD, Brig.-Gen.”

“Lieut.-Gen. the Hon. Sir A. Wellesley, K.B.”

*Inscription.*

“From the general officers serving in the British army, originally landed in Figueira, in Portugal, in the year 1808, to Lieut.-General the Right Hon. Sir Arthur Wellesley, K.B., &c., &c., their commander.

“Major-General Spencer, second in command, Major-Generals Hill and Ferguson, Brig.-Generals Nightingale, Bowes, Fane, and Crauford, offer this gift to their leader, in testimony of the high respect and esteem they feel for him as a man, and the unbounded confidence they place in him as an officer.”

The following was Sir Arthur Wellesley's reply :—

“GENTLEMEN,—I have had the honour of receiving your letter of this day; and I assure you that it is a source of great gratification to me to find that my conduct in the command, with which I was lately entrusted by his Majesty, has given you satisfaction. As my efforts were directed to forward the service in which we were employed, I could not fail to receive your support and assistance, and to the cordial support and friendly advice and assistance which I invariably received from you, collectively and individually, I attribute the success of our endeavours to bring the army into the state in which it was formed to meet the enemy, on the days on which the gallantry of the officers and soldiers was stimulated by your example, and the discipline aided and directed by your experience and ability.

“Under these circumstances my task has been comparatively light,



and I imagine that its difficulty has been over-rated by your partiality; but I have a pride in the reflection, that as I should not deserve, so I should not possess your regard, if I had not done my duty; and with these sentiments, and those of respect and affection for you all, I accept of that testimony of your esteem and confidence which you have been pleased to present to me.

“I have the honour to be, &c.,

“ARTHUR WELLESLEY.”

Various ungracious proposals were made to get rid of this third wheel. It was suggested that Sir Arthur should go to Spain to suggest operations and concert a plan with the Spanish leaders; but he informed Sir Hew that it was impossible for him to do this without knowing Sir Hew's own plans; and, without being taken into his confidence, it would be perfectly useless to send him. It was proposed that he should go into Asturias to examine the country; to which he replied that he was no draftsman and not a good hand at description, and as he had no certainty that the plans he proposed would be executed, it would be mere waste of time, and an imposition upon those who sent him. In expressing to Lord Castlereagh his intention to quit his present false position, he said—“I wish Sir Hew had given me credit for a sincere desire to forward his views, whatever they might be; and I think I could have been of as much use to him as I believe I have been to other officers under whose orders I have served. He is the only one of whom I have not been the right hand for some years past; and at the same time I must say that I felt the same inclination to serve him that I had to serve others.” At length Sir Arthur demanded leave in the following letter to the commander-in-chief:—

“Lumiar, 17th September 1808.

“SIR,—The embarkation of the French troops having brought to a final close the operation of the army in Portugal, and as in the present state of the season some time must elapse before the troops can enter upon any other active operation, and as I understand you have sent Lord William Bentinck on the service for which you had thought me qualified, and it is not probable that there will be an opportunity for active service, or that you will require my assistance at this particular moment, or for some time to come, I am induced to request your permission to go to England.

“The situation of my office of chief secretary in Ireland, of which the duties have been done lately by a gentleman who is now dead, renders it desirable, under these circumstances, that I should be in England as soon as possible, to ascertain whether it is his Majesty's pleasure that I should continue to hold it, or that I should relinquish it. I have, therefore, to request that you will give me leave to go to England by the first ship that shall sail.

“I have the honour to be, &c.,

“ARTHUR WELLESLEY.”

His desire was of course acceded to, and Sir Arthur Wellesley returned to his civil employment. He expressed a strong wish to Sir John Moore, whose arrival in the country had placed a third officer over

his head, that in the change which it was needful should take place in the command of the army, the choice of the Government might fall upon him ; hinting that he would use his influence for Sir John. Little did he think that under this unfortunate officer, the victories of the commencement of the British career in the Peninsula would be darkly overclouded. On his return to England he found the country greatly irritated against the generals for the Convention of Cintra, and that he himself was not entirely exculpated. A court of inquiry was held, which, after sitting for a considerable time, and hearing the generals, returned an open decision. Sir Arthur Wellesley was, of course, completely set right with the public, and the popular verdict against the officers who had superseded and thwarted him, threw out his merits into more conspicuous relief, and increased his popularity with the country. The thanks of both houses of parliament were given to him on the termination of the inquiry, and nothing could possibly be more flattering than the terms in which they were conveyed. The episode of that unfortunate general, whose retreat from Talavera to the sea was as honourable as any retreat could be, filled up the gloomy interval between the departure and the return of Sir Arthur. Nothing occurred to him in that interval worthy of note. He was simply a spectator of events. At length, when it became a question whether the Peninsula should be abandoned, and the rupture of France and Austria, which had saved Sir John Moore's army from almost certain destruction, caused the Government to hesitate, Lord Castlereagh applied to Sir Arthur Wellesley for his opinion as to the possibility of defending Portugal; and the statement he made in return went far to decide the policy of the ministry. He proposed that the Portuguese army should be incorporated with the British; officered, paid, and disciplined from England. Before the appointment of a general he recommended that the English army should be increased and properly appointed, as the commission of a leader would set the French armies moving. These suggestions were taken by the government, the Portuguese assented to the proposed arrangement for the incorporation of their army with that of Great Britain, and the command of this subsidiary force was offered to Sir Arthur, but declined by him, his experience of a subordinate command, and his consciousness of his own deserts, having probably been the actuating motives. General Beresford was then selected out of several candidates, and in a short time made a wonderful change in the efficiency of the Portuguese army. Sir John Cradock was transferred to the command of Gibraltar, and Sir Arthur having resigned his seat in Parliament and the office of chief secretary, and made the most elaborate provision for the wants of his army, embarked at Portsmouth and entered the Tagus on the 22d of April 1809. The greatest joy was manifested at his arrival by the inhabitants of Lisbon, and the Government placed all the resources of the country at his disposal. He found himself, however, at the head of but 16,000 men, with 8,000 to follow, opposed to three French armies which darkened the horizon. These armies were acting under the orders of Napoleon himself, who, having in person driven Moore to retreat, now commanded them from the scene of his Austrian campaign; but the day had not come when armies fighting out of sight of each other, at a range of three or four miles,

could be commanded by electric telegraph by a general sitting in his study a thousand miles away, and manœuvring armies on the map. Marshal Soult had been ordered to advance upon Lisbon, but he had been delayed by the insurrection about him, the fatigue of the troops, and by bad roads and flooded rivers. His flank had been threatened by Romano's forces, and he had been obliged to turn aside and drive them back. In front he defeated a large force of disciplined Portuguese. Notwithstanding the great preparations of the patriotic bishop of Oporto, he took that city and inflicted a severe punishment upon it for ill-treatment of French prisoners. Marshal Victor, who was to co-operate with Soult, crossed the Tagus from Talavera and defeated Cuesta, the Spanish general, at Medallan. General Lapisse was ordered to form with his army a connecting link between the marshals at Abrantes; this he failed to do, but, joining himself to Victor, left a wide and fatal gulf between the French armies. Sir Arthur Wellesley had now to choose between attacking Soult or Victor before they could throw their united strength upon him. As it was important, for the sake of supplies, to re-open communications with Oporto, he chose the former antagonist, and setting a guard upon Victor, assembled the combined armies, numbering twenty-five thousand men, at Coimbra. Soult lay, with twenty thousand men, in fancied security and loose order upon the Douro, the communication of his forces on either bank being maintained only by a bridge of boats. It is said that an offer was made by some republican officers in his army to betray him to the English; but this offer Wellesley contemptuously declined. The latter having arrived at Coimbra on the 2d of May, adopted what had been his course in India, that of operating by two columns. Beresford, with the Portuguese, was ordered to cross the Douro and envelope the French left wing, while Wellesley advanced by the main road on Oporto. He trusted to Beresford to send down boats by which to cross the river, which would still separate him from the town. This plan was modified in consequence of intelligence that the French were evacuating Oporto, and, having driven back Silveira, might be expected to fall upon Beresford with a crushing force. Accordingly Hill was sent to follow them up, and Wellesley himself marched upon Vouga. He soon came upon the French forces which lay outside the river-barrier to the number of about four thousand. Hill's column co-operated in the attack. After a brave stand, their flank was turned, and they were obliged to retreat; the retreat became a flight, and having crossed the Douro, they removed the bridge of boats. Soult had been taken quite by surprise, but imagined that having secured all the boats upon the river, which was 300 yards wide, he might leave the British army and general to watch his lazy evacuation of Oporto, and retreat upon Braga at his leisure. He had misjudged his opponent, however, who was the last man in the world to sit down like the rustic waiting for the river to flow by. Beresford had crossed at Amarante several miles higher up, the French troops under Loison abandoning the bridge at his approach, and Wellesley sent some troops, under General Murray, to cross, if possible, at Avintas and support the Portuguese column. The position taken up by the main force of the British was such that they were sheltered from the fire of the French, while their artillery

completely commanded the opposite bank. Upon it Wellesley observed a large unfinished building, which was intended for a seminary, and enclosed a large space with well-built walls. It was silent and unoccupied, and in it, he resolved, by some means, to make a stealthy lodgement. A sunken punt was discovered by an enterprising staff-officer, who raised it with the help of the head of a religious house in Amarante, and crossed the Douro unperceived; having launched and fastened on several barges from the opposite side, they returned without attracting the attention of the French, who were busy in preparation for the march. Three barges crossed with twenty-five men in each, and it was only the third, containing General Paget, that at last awoke the enemy's attention. Soult treated the report as of no importance, until it was found that the building was full of British troops. It was in vain that at last a violent attack was made upon the place—twenty guns, judiciously posted on the English side of the river, made havoc among the French troops, and compelled them to abandon the approaches. Meanwhile the townspeople brought over the boats and barges collected on their side of the river, with which the British forces soon crossed in force, compelling the French to evacuate the town in such haste that they had not time to remove their sick and wounded, and even abandoned a portion of their guns and baggage. The retreating army was pursued for a short distance, but Sir Arthur Wellesley was unable to follow up his advantage until his artillery and cavalry had crossed the Douro. This necessity was fortunate for Marshal Soult, who was nearly caught in a trap. Turned at Amarante, which was occupied by Beresford, the only alternative that gave the French general a chance of escape for his disorganised and panic-stricken army, was to abandon guns, ammunition, and all the impediments of his force, and escape across the mountains to Orense. In this terrible march over the mountains of Tras-os-Montes and Galicia, eighteen thousand men, ragged and shoeless, exposed to the most severe weather, and closely pursued by the British light troops, and continually suffering heavy losses in their rear-guard, barely made good their escape with the loss of everything, from an army not much superior in numbers. The campaign had only one remarkable incident, that it was won not by force of battle, but by the astonishment and panic which the exploit of crossing the Douro, through the instrumentality of a punt, created in the French army. Soult lost, besides all the implements of war, six thousand men, including the sick and wounded abandoned in Oporto, and those who fell on the retreat. The English loss was only a few hundred men killed and wounded. Sir Arthur desisted from the pursuit of an enemy whom, having thrown away everything, it was impossible to come up with, and turned back upon Victor, who had begun to move his army, and seized the bridge of Alcantara. The fatigue, sickness, and disorganisation arising out of the pursuit, in which, in twenty-eight days the army had traversed seventy leagues of mountainous country, compelled Sir Arthur to halt for some days at Oporto, to restore discipline and put his army in the fitness to march, which he always insisted on. His movements caused Lapisse to fall back from Alcantara upon Victor's army, which was concentrated at Cassares, between the Tagus and Guadiana. Meanwhile Wellesley was obliged, from the want of almost



everything, to linger at Abrantes through the month of June, but he employed the time in agreeing upon a combined plan with the Spanish general Cuesta. While two Spanish brigades occupied the mountains, and with the assistance of Sir Robert Wilson and his partizans, and Beresford, with five thousand Portuguese, guarded the valley of the Tagus, Wellesley and Cuesta were to advance upon Madrid. It was not long, however, before the English general found the Spaniards to be a most uncertain quantity in his calculations. Cuesta effected his junction with the English at Oropaga unopposed by Marshal Victor; but Venegas, who was in command of the second Spanish army under secret instructions from the Junta, who desired to keep his force intact to support their own power, loitered so long upon the march that he was separated from Cuesta by the manœuvres of the French. On the 22d of July, Wellesley reached Talavera, or La Reyna, and learned that Victor, with twenty-two thousand men, was quartered about a mile beyond it in a position which invited an instantaneous and decisive blow. Almost, as a matter of course, General Cuesta, at the critical moment, was in his most dogged and impracticable mood. Unable to mount or alight from his mule, or to sit upon it without being supported by his aides-de-camp, and generally borne about in a litter, this incapable and obstinate commander refused to co-operate in the attack, and Victor was allowed to retire at his leisure and form a junction with King Joseph and Sebastiani. The united forces under King Joseph amounted to fifty thousand. It was well for the allies that Mortier, with eighteen thousand men, had been detached to Salamanca by the will of the distant wire-puller of the French armies, while Soult delayed coming to the king's support, and he himself, instead of waiting and acting on the defensive, was over-eager to win a victory. Meanwhile Cuesta, who had prevented Wellesley from attacking Victor, when he lay in his position close to Talavera, with an ignoble instinct, no sooner saw him in retreat than he insisted upon pursuing, notwithstanding his English colleague's warning to refrain, and refusal to join with him in doing so. The consequence was the defeat of Alcabon, which forced the Spaniards back to the shelter of the English army. Cuesta's defeat had the good effect of making him place himself under the orders of Wellesley, and probably acted as a decoy to draw back the united French army. The allies, to the number of about forty-four thousand, of whom only nineteen thousand English and Germans were to be depended upon in action, were drawn up on a level space two miles in extent beyond the town of Talavera. The French, who advanced to the attack, numbered about the same, but were all brave and experienced troops, and, to all intents, double the strength of the allies. It was about noon on the 27th of July that Wellesley had gone forward some miles in advance to the outposts, and was reconnoitring from one of the upper windows of a country-house, when suddenly the French tirailleurs closed about it, and the English had a narrow escape of losing their general. He had just time to spring to the saddle and ride for his life. The English infantry of the advanced guard was routed, ten thousand Spaniards on the right were in full flight, and never seen again until the great action was over. The English troops rallied and made good their retreat; and then the

general attack was at once delivered, commencing on the English left, where Hill held the command ; the key of the left was a steep hill, with a narrow and deep valley on the extreme of the position. Ruffin and Lapisse were Hill's assailants. Some German troops gave way, and the French reached the summit ; a flank attack, however, by General Sherbrooke drove them over and down the hillside with great slaughter. Once and again the attack was renewed and repelled with equal obstinacy, and it was not till long after night fell that it was finally repulsed, and both the combatants rested. In the battle of the next day the English were at a serious disadvantage. They were in a state of semi-starvation, while the Spaniards and French fared well. The English again learned the advantage of the rule that prevailed in their army, to fall-in before daybreak. The enemy attempted a surprise on the same point which had been so obstinately disputed on the previous night, but they found it even better defended than previously, for Wellesley during the night had prolonged his line across the valley on the extreme left, through which the French had been able to attack the height at an advantage. As the morning wore on a long pause came in the battle ; the sun blazing overhead made both armies so thirsty that, like wild animals which usually prey or are preyed upon by each other, English and French soldiers went down in crowds to drink at the narrow stream which separated the combatants. There was much diversity of opinion on the French side ; Victor pressed for the attack, Jourdain for delay until Soult should have time to co-operate. In this interval the alarming intelligence was conveyed to Wellesley that Cuesta was about to go over to the enemy ; the general, however, had strength of mind to disbelieve the news, although it came from the Duke d'Albuquerque. Almost as bad, however, a wild and unmeaning panic had taken possession of the Spanish army on the right, where as yet it had been entirely out of the battle. It fled with as little cause as the host that of old turned to flight at the sound of a going in the mulberry trees. The Spanish general made furious and partially successful efforts to stop the flight ; but the guns were gone, and six thousand men got clear away and spread the news of defeat far in the rear. We quote Sir William Napier's description of the final moments of this great battle :—

"Sir Arthur Wellesley, from the summit of the hill, had a clear view of the whole field of battle ; and first he saw the fourth corps rush forwards with the usual impetuosity of French soldiers, and clearing the intersected ground in their front, fall upon Campbell's division with infinite fury ; but that general, assisted by Mackenzie's brigade and by two Spanish battalions, withstood their utmost efforts. The English regiments, putting the French skirmishers aside, met the advancing column with loud shouts, and breaking in on their front, and lapping their flanks with fire, and giving no respite, pushed them back with a terrible carnage. Ten guns were taken ; but as General Campbell prudently forbore pursuit, the French rallied on their supports, and made a show of attacking again. Vain attempt ! The British artillery and musketry played too vehemently upon their masses, and a Spanish regiment of cavalry charging on their flank at the same time, the whole retired in disorder, and the victory was secured in that quarter."

But, while this was passing on the right, Villatte's division, preceded by the grenadiers and supported by two regiments of light cavalry, was seen advancing up the great valley against the left, and beyond Villatte's, Ruffin was discovered marching towards the mountain. Sir Arthur Wellesley immediately ordered Anson's brigade of cavalry, composed of the twenty-third light dragoons and the first German hussars, to charge the head of these columns; and this brigade, coming on at a canter, and increasing its speed as it advanced, rode headlong against the enemy, but in a few moments came upon the brink of a hollow cleft which was not perceptible at a distance. The French throwing themselves into squares opened their fire; and Colonel Arentschild, commanding the hussars, an officer whom forty years experience had made a master in his art, promptly reined up at the brink, exclaiming in his broken phrase, "I will not kill my young mens!" The English blood was hotter! The twenty-third under Colonel Seymour rode wildly down into the hollow, and men and horses fell over each other in dreadful confusion. The survivors, still untamed, mounted the opposite bank by two's and three's; Seymour was wounded, but Major Frederick Ponsonby, a hardy soldier, rallying all who came up, passed through the midst of Villetta's columns, and reckless of the musketry, from each side, fell with inexpressible violence upon a brigade of French chasseurs in the rear. The combat was fierce but short; Victor had perceived the first advance of the English and detached his Polish lancer and Westphalian light horse to the support of Villatte's, and these fresh troops coming up, when the twenty-third, already over-matched, could scarcely hold up against the chasseurs, entirely broke them. Those who were not killed or taken made for Bassecour's Spanish division, and so escaped, leaving behind two-hundred-and-seven men and officers, or about half the number that went into action. During this time the hill, the key of the position, was again attacked, and Lapisse, crossing the ravine, pressed hard upon the English centre; his own artillery, aided by the great battery on his right, opened large gaps in Sherbrooke's ranks, and the French columns came close up to the British line in the resolution to win; but they were received with a general discharge of all arms, and so vigorously encountered that they gave back in disorder, and in the excitement of the moment, the brigade of English guards, quitting the line, followed up their success with inconsiderate ardour. The enemy's supporting columns and dragoons advanced, the men who had been repulsed turned again, and the French batteries pounded the flank and front of the guards. Thus maltreated the latter drew back, and at the same moment the German legion being sorely pressed got in confusion. Hill's and Campbell's divisions on the extremities of the line still held fast; but the centre of the British was absolutely broken, and the fate of the day seemed to incline in favour of the French; when suddenly Colonel Donellan, with the forty-eighth regiment, was seen advancing through the midst of the disordered masses. At first it seemed as if this regiment must be carried away by the retiring crowds, but wheeling back by companies, it let them pass through the intervals, and then resuming its proud line, marched against the right of the pursuing columns, and plied them with such a destructive musketry, and closed upon them with such a firm and regular pace,

that the forward movement of the French was checked. The guards and the Germans immediately rallied; a brigade of light cavalry came up from the second line at a trot, the artillery battered the enemy's flanks without intermission, and the French beginning to waver, soon lost their advantage and the battle was restored.

"In all actions there is one critical and decisive moment which will give the victory to the general who knows how to seize it. When the guards first made their rash charge, Sir Arthur Wellesley, foreseeing the issue of it, had ordered the forty-eighth down from the hill, although a rough battle was going on there; and at the same time he directed Cotton's light cavalry to advance. These dispositions gained the day. The French relaxed their efforts by degrees, the fire of the English grew hotter, and their loud and confident shouts—sure augury of success—were heard along the line.

"In the hands of a great general, Joseph's guards and the reserve, which were yet entire, might have restored the combat; but all combination was at an end on the French side. The fourth corps, beaten back on the left side with the loss of ten guns, was in confusion; the troops in the great valley on the right, amazed at the furious charge of the twenty-third, and awed by the sight of four distinct lines of cavalry still in reserve, remained stationary. No impression had been made on the hill; Lapisse himself was mortally wounded, and at last his division giving way, the whole army retired to its position from whence it had descended to the attack. This retrograde movement was covered by skirmishers and an increasing fire of artillery; and the British, reduced to less than fourteen thousand sabres and bayonets, and exhausted by toil and the want of food, could not pursue. The Spanish army was incapable of any evolution, and about six o'clock all hostility ceased, each army holding the position of the morning. But the battle was scarcely over when, the dry grass and shrubs taking fire, a volume of flames passed with inconceivable rapidity across a part of the field, scorching in its course both the dead and the wounded."

Thus the battle of Talavera was won, and for its moral effect it was one of the most decisive in the peninsular war. It was the first great set battle in which the British commander shewed what he could do with such soldiers. The French lost 7396 men and 17 pieces of cannon, in this desperate attempt to be victorious; the British loss was 6268; the Spaniards reckoned their loss at 1200, but it was much more unquestionable that they lost several thousands by flight, and that but for their incapacity, occupying the position they did, they might have completed the destruction of the French army. Considering the forces actually engaged, the loss in killed and wounded was tremendous, and heavier in proportion on the British side than on the French. About one-third fell of the former, not more than one-fourth of the latter. It was a tremendously stubborn and protracted battle, and was fought out as if it were a real great test struggle between two jealous and furious nations. Napoleon in his letters to Joseph described it as a terrible defeat, and evidently felt constrained to acknowledge to himself, what he had before contemptuously denied, the merits of the general and his men. The two armies remained facing each other until the 30th, when King Joseph, alarmed by Wilson's movements for the safety of Madrid,



marched away, leaving Victor behind to co-operate with Soult. Talavera may nominally have been a drawn battle, because the French were not driven from the field, nor was their withdrawal a direct result of the battle; but with immensely superior forces they had been beaten back from repeated attacks on the British army with terrific loss, and were therefore in reality defeated. The loss, too, of guns and prisoners would give the victory to Wellesley according to the etiquette of war. But if Joseph was alarmed for Madrid, his opponent was still more alarmed for Lisbon. He learned that the pass of Banos had been abandoned, and that Soult was already in the valley of the Tagus; the peace concluded between France and Austria made him feel that the small reinforcement of 3000 men, which had reached him just after the battle, was nothing to what the French marshals might soon reckon on. Disregarding therefore the strongly urged wish of Cuesta that he should follow King Joseph, he left the Spaniards to guard Talavera from Victor and rapidly turned back upon Soult. It was of great importance to seize and destroy the bridge of Almaraz, and this, although Mortier was before him on the road, Crawford successfully accomplished with the light division. Wellesley now learned that the French under Soult amounted to 35,000 men, or more than double what he had been led to believe. It was evident, therefore, that no course lay open to him but to retreat behind the Tagus. General Cuesta had abandoned Talavera, leaving the sick and wounded to their fate, and came up with the English at Aropeza. He urged the hazard of a battle, and when Wellesley refused to remain to fight between two enemies, and with no reliance on his friends, Cuesta determined to stay behind and fight on his own account. He repented of this madness in time to save most of his army by following the British across the Tagus, but he lost a portion of it under the Duke d'Albuquerque in Arzobispo. The French having seen the allies across the river on which the bridges were broken and the fords guarded, drew back and broke up into portions, instead of massing and pressing forward upon Lisbon, as Marshal Soult recommended. Wellesley drew back his army to repose in the villages about Badajoz. In this campaign it was not Sir Arthur Wellesley's fault that it ended differently from what he had intended. The tardiness of supplies and reinforcements delayed him at Abrantes, he was at last obliged to move without being reinforced, and trusting to the Spaniards for supplies. As it was, he was too late in the field to gain the advantages of his first successes, and his troops were ragged, shoeless, and nearly starved. The allies upon whom he had reckoned turned out worthless—an undisciplined rabble, unable to perform the simplest manœuvres in the presence of an enemy. Their general would advance when Wellesley wished to halt; would stand still when Wellesley urged advancing to the attack; would offer battle when Wellesley would retreat; and could only be brought to his senses by being left to act alone, when he was generally taught by reverses. The manner in which Wellesley drew himself out of the difficulties in which he was placed was masterly, and accomplished without inflicting on his army a loss of self-respect. Military critics consider that the delay at Abrantes was unnecessarily prolonged, and that this was the only fault of the campaign. The French marshals sneered at Wellesley as habitually

slow and methodical; but in general his opponents made this criticism in the chagrin of defeats occasioned by his way of hastening slowly. Wellesley was one of those steady, sure players in the game of war who leave nothing to chance, and if they win slowly, win with certainty. In this he was remarkably unlike his countrymen, among whose military virtues caution, calculation, and the rare power of judging the proportions of things are the least conspicuous.

While Wellesley lay in the neighbourhood of Badajos refusing the solicitations of the Junta to co-operate again with the Spanish forces, and disgusted at the conduct of their authorities, who had allowed their deliverers almost to perish of hunger in the campaign of Talavera, Areyzaga, who had succeeded to the command of Cuesta's army, suffered a tremendous defeat in the march which he was ordered to make upon Madrid, notwithstanding Wellesley's protestations of its folly and certain failure. His own merits had been recognised by the thanks of parliament, and the title of Baron and Viscount Wellington, and the Spanish Government created him captain-general of its armies. In December 1809 the British army assumed a position in Upper Beira, between the Mondego and the Tagus; the light division under Crawford was in advance upon the Coa. This change was made in the expectation that the French would make a grand effort upon Lisbon; instead of doing so, however, they invaded Andalusia, which they overran, with the exception of Cadiz; this place was saved by a march of Albuquerque's, which is generally acknowledged as almost the only clever thing done by a Spanish general in the whole course of the war. Wellington sent some British and Portuguese forces, which effectually secured the important foothold that Cadiz preserved for the allies. He refused the request of the Junta that he should march into Estremadura, as by so doing he would have uncovered Lisbon to Ney and Junot. On the contrary, he was engaged in fortifying the famous lines of Torres Vedras, which blocked with redoubts all the approaches to the Portuguese capital. Their length was about twenty-five miles; every advantage was taken of the nature of the ground and interior communication made by good roads in their rear. There was also an inner line, and as a third standing-point Fort Julian was made strong enough to cover an army in its embarkation. Having thus provided for the worst he boldly waited behind his defences the sea of enemies that he saw rising against him. He soon heard that Soult was entering Estremadura, and shortly after, that Badajos was besieged. Hill was directed to make a movement which relieved Badajos for the time; but unfortunately, in the March of the following year this strong place was lightly lost after the battle of Santa e Gracia; its recovery was one of the costliest operations in English life during the entire peninsular war. The command of the French armies was now assumed by Massena, who, having in vain tried every expedient to draw Wellington from his fortified lines, sat down to the siege of Ciudad Rodrigo. Crawford and the light division interposed between that fortress and the other great stronghold, Almeida. In this position, contrary to lord Wellington's orders, he suffered himself to be drawn into a battle in which nothing but the coolness and bravery of general and soldiers saved the division from utter destruction. Ney, with 30,000 men, was

unable to prevent Crawford from gaining the bridge of Almeida in safety, and he held it successfully until, in the night, orders arrived from Lord Wellington to abandon it. The fortress of Almeida was invested in August, and the magazine having been blown up by an unlucky shell, the cowardly garrison forced the governor to surrender, 5000 unwounded men laying down their arms, and one Portuguese regiment joining the French. This unexpected event deranged Lord Wellington's plans, and compelled him to draw still further back. Massena, instead of pressing on the English, turned off to sieze the stores collected at Coimbra; and this gave Wellington time to collect his forces and draw up in the path of the French army upon the precipitous heights of Busaco. On the 25th of September the armies came in sight of each other; the British were only half in position, and considerable gaps appeared between the teeth with which the heights were armed; Ney urged an immediate attack with the 40,000 men already up, but Massena preferred allowing his whole army time to come on to the ground. Thus, although desultory fighting took place on the 26th, the serious battle did not commence until the following day. Meantime the sounds of battle had stimulated the march of the British regiments which had not arrived on the 25th, and every position was taken up before the attack commenced. The position was four miles in extent; 50 cannon were disposed along it to the best advantage; six divisions of infantry held their ground; the cavalry in one mass was kept in hand in the plain to the left. Massena had now 64,000 men, of whom 8000 were cavalry, and 80 guns. His plan of battle was that two great columns should make simultaneous attack, while a third column and the cavalry were held in reserve. Both columns forced their way up the heights, one under Reigrier and Loison, the other under Ney; neither had time to deploy. Spencer and Picton fell on the first, Crawford on the other, and both were hurled over the heights by the British charge, after receiving a close fire of cannon and musketry. The French lost in the two attacks by their own admission 4500 men; the English lost but one-fourth of the number. Massena's failure to force the position was so complete that he attempted no second assault. During the night he discovered a road to the right by which he might continue his movement on Coimbra, evading Lord Wellington's army; and when morning dawned the French had disappeared by this road. Wellington dispatched a Portuguese force to lock a defile that might have stopped Massena in his new road, but by taking a wrong route this force arrived too late, and it became necessary to retreat from the victorious field of Busaco to the fortified lines of Torres Vedras. It was with astonishment that Massena came at length upon this tremendous fortified position, behind which Lord Wellington's army kept watch and ward to the number of 60,000 men. It was more than he could venture to attack, under the depression of his recent defeat, although with nearly equal forces. He therefore sent for orders and reinforcements to the Emperor. The towers of Lisbon glimmered on the distant horizon, but between lay that bulwark of British arms, and the French marshal hesitated between eagerness for the prize and fear to attempt its capture.

The country in which he lay was a desert. The population had retreated before the army; provisions were destroyed, and the alternatives seemed to be, advancing into those terrible British jaws, of which he had lately had such experience, retreating into Spain with a loss of reputation and abandonment of the objects of the campaign, or, thirdly, remaining to be starved; whilst Massena was thus awaiting orders, Wellington was thwarted by the bad faith and folly of the Spanish and Portuguese governments, the former suffering the French to receive supplies which enabled them to maintain their position, and the Portuguese clamouring against him for allowing the tide of war to approach so close to their capital. He was obliged to insist with great firmness that the Regency, instead of dictating to him the conduct of the war, should itself keep Lisbon quiet, and the Portuguese troops properly supplied. At home it was almost taken for granted that the cause of the allies was lost, and the government made no secret that it looked forward to the early evacuation of Portugal. He was more than once on the point of hazarding a battle, under the dread of some disastrous resolution being adopted in England arising out of such an opinion. However, his better judgment prevailed, reasoning thus:—"I have no doubt, as matters stand at present, that I am strong enough to beat the French. But by exposing my troops at this inclement season to the rains for even three days and nights, I am sure to bring sickness among them. My gain will be that by defeating Massena and Soult I shall free both the northern provinces and Andalusia from the presence of the French. But this it is probable that I shall effect in the common course of events without risking the loss of a battle, which would compromise us altogether. Besides, looking to what occurred after the last campaign, I do not see that our condition will be materially bettered by the evacuation of these provinces. When Castile and the north of Spain were freed from the French troops, they did not raise a hand or strike a blow for the common cause. If all this be true, our interests do not require that we should fight the French army, which we should certainly not be able to drive out of the Peninsula; but that we should give as much occupation as possible to the largest portion of that army, and leave offensive operations to be carried on by the guerillas. So long as the French do not threaten our means of subsistence or the resources of the Portuguese government, or anything else that effects our security, it is a matter of indifference to us whether they remain in Spain or Portugal. I believe, indeed, looking to the increased difficulties which they experience in subsisting themselves in the latter country and keeping open their communications, that it is of advantage to us that they should remain where they are. Their numbers diminish from day to day; they do us no harm; we are nearer to our supplies than we have ever yet been, and all the north of Spain is open to the operations of the guerillas."

After facing each other for some time, the approach of winter made it indispensable for Massena, who was suffering from the want of everything, to shift his ground. He accordingly withdrew to Santarem, followed cautiously by Lord Wellington. Finding the French position too strong to be assailed, the latter withdrew his head-quarters to Cartajo. The chief characteristic of Wellington in all this campaign



was his extraordinary caution ; he even allowed opportunities to slip, such as the retreat of Massena, when he might have fallen upon part of his army in the defiles, rather than depart from his fore-cast of war. Massena occupied himself in the siege of Abrantes ; and at length orders arrived from Paris that Soult, who had been tarrying to no purpose in Andalusia, being jealous of the trust committed to Massena, should march with 20,000 men to his assistance. Other forces were to be brought up to support the assault upon Torres Vedras, the success of which would give the French Lisbon, while its failure would simply mean a continuation of the blockade. But Napoleon's orders were not carried out by Soult, who professed his inability to march to the siege of Abrantes, and the other succours fell far short of what they had been estimated. The Duke d'Abrantes did indeed make a diversion in Estremadura, and, as already mentioned, succeeded in the capture of Badajos ; but he rendered no effectual help to Massena. The latter was now in the most desperate circumstances from the sickness and want of food that prevailed in his army ; but Lord Wellington, fearing that Badajos having fallen, Massena might immediately be reinforced by Soult, resolved no longer to leave the gradual decay which had been proceeding during the winter to do its work, but at last to hazard a battle on the side of Tremes, while Beresford, crossing at Abrantes, fell upon the French rear. It was necessary, however, to await reinforcements from England, and these, which ought to have arrived in ten days, were six weeks upon their way owing to contrary winds. Massena's army daily wasted, and it was a race whether Soult would appear, or sickness and famine would oblige him to retreat first. The latter happened ; ten days more would have brought Soult, and perhaps it was his duty to have suffered any privation and loss arising from it rather than the fruits which might be expected from this conjunction. Only sufficient provisions for the march remained when his resolve was taken to retreat from Santarem. His army had fallen to 40,000 men, and the arrival of the English reinforcements, which made the English and Portuguese superior in number, was the immediate cause of his resolution. He decided to gain the Mondego, and ascend the left bank of that river towards Guarda or Almeida ; or crossing it, to march upon Oporto. In this retreat he was burdened with 10,000 sick, whom he gradually passed before him to Thomar. All the guns and munition that he could not horse or remove were destroyed, and the bridges blown up behind him. By this means the pursuit was delayed, and probably also Lord Wellington's caution prevented his abandoning his strong lines at the first temptation.

Sir William Napier mentions a horrible circumstance which shows how fearful was the want of food prevailing in the part of the country lately occupied by the French. He says :—

“ A large house situated in an obscure part of the mountains was discovered filled with starving persons. Above thirty women and children had sunk, and sitting by the bodies were fifteen or sixteen survivors, of whom one only was a man ; but all so enfeebled as to be unable to eat the little food we had to offer them. The youngest had fallen first ; all the children were dead. None were emaciated in the bodies, but the muscles of the face were invariably drawn transversely, giving the

appearance of laughing, and presenting the most ghastly sight imaginable. The man seemed most eager for life; the women appeared patient and resigned and even in this distress had arranged the bodies of those who first died with decency and care."

During this retreat Marshal Ney commanded the rear guard; a light engagement took place between Pombal and Redinha, in which both sides lost about 200 men. The French added to the terrible suffering of the country by burning the towns and villages on their line of march, the houses being plundered and the inhabitants treated with the utmost barbarity. They were not however, allowed to escape wholly without punishment; at Fons de Aronce, in the narrow passage between the Mondego and the mountains, 500 men were killed or drowned in the passage of the river. But much heavier losses would have been inflicted but for the neglect of the Portuguese Government to furnish supplies to their own troops. The English were obliged to share with them their scanty stock; but it is actually asserted that some regiments were four days without food. The contempt of the Spaniards for the Portuguese contributed to the sufferings of the latter, for the Spanish muleteers would not carry provisions for them. Massena lost about 35,000 of the army, including reinforcements, which he had led into Portugal. The result thoroughly justified Lord Wellington's cautious policy. The moment supplies permitted, Lord Wellington again pressed the pursuit. At Sabugal there was a smart action, in which the Light Division distinguished itself. Massena, after this action, withdrew to Salamanca, making Ciudad Rodrigo a stage upon the way. Lord Wellington, having invested Almeida, which was only provisioned for a fortnight, made a journey into Alentejo to direct Beresford's operations against Badajos, and having ordered the drawing in of the investing force from a too advanced and dangerous position, he returned in time to find that Massena, reinforced and refitted, was advancing with a superior army to the relief of Almeida. Exclusive of the blockading division of General Campbell, the covering army consisted of about 30,000 men, of whom two thirds were British. The position of the army was strong but dangerous, the Coa running between its precipitous banks in the rear, with only one bridge to retreat by in case of defeat. Towards this bridge Massena directed his chief attack, and the struggle to gain the road to it was waged in the village of Fuentes d'Onoro. The battle lasted two days, and was indecisive but bloody. The valour of the light division was again conspicuous; Sir William Napier thus describes it:—

"General Crawford, who had resumed the command of the light division, first covered the passage of the seventh division over the Turennes, and then retired slowly over the plain in squares, having the British cavalry principally on his right flank. He was followed by the enemy's horse, which continually outflanked him, and near the wood surprised and sabred an advanced post of the guards, making Colonel Hill and his fourteen men prisoners; but then continuing their charge against the forty-second, the French were repulsed. Many times Montbrun made as if he would storm the light division squares, but the latter were too formidable to be meddled with, yet in all this war there was not a more dangerous hour for England. The whole of that vast plain, as far

as the Turennes, was covered with a confused multitude, amidst which the squares appeared but as specks, for there was a concourse composed of commissariat, followers of the camp, servants, baggage, led horses, and peasants attracted by curiosity, and finally, the broken picquets and parties coming out of the woods. The seventh division was separated from the army by the Turennes. Five thousand French cavalry, with fifteen pieces of artillery, were close at hand, impatient to charge; the infantry of the eighth corps was in order of battle behind the horsemen. The wood was filled with the skirmishers of the sixth corps; and if the latter body pivoting upon Fuentes had issued forth while Drouet's division fell on that village, while the eighth corps attacked the light division, and while the whole of the cavalry made a general charge, the loose multitude encumbering the plain would have been driven violently in upon the first division in such a manner as to have intercepted the latter's fire and broken their ranks. No such effort was made. Montbrun's horsemen merely hovered about Crawford's squares. The plain was soon cleared; the cavalry took post behind the centre, and the light division formed a reserve to the right of the first division, sending the riflemen amongst the rocks to connect it with the seventh division, which had arrived at Frenada, and was there joined by Julian Sanchez. At sight of this new front, so deeply lined with troops, the French stopped short and commenced a heavy cannonade, which did great execution, from the closeness of the allied masses; but twelve British guns replied with vigour, and the violence of the enemy's fire abated; their cavalry then drew out of range, and a body of French infantry, attempting to glide down the ravine of the Turennes, was repulsed by the riflemen and the light companies of the guards. But all this time a fierce battle was going on at Fuentes d'Onoro. Massena had directed Drouet to carry this village at the very moment when Montbrun's cavalry had turned the right wing; it was, however, two hours later ere the attack commenced. The three British regiments made a desperate resistance; but overmatched in number, and little accustomed to the desultory fighting of light troops, they were pierced and divided. Two companies of the seventy-ninth were taken, Colonel Cameron was mortally wounded, and the lower part of the town was carried; the upper part was, however, stiffly held, and the rolling of the musketry was incessant. Had the attack been made earlier, and the whole of Drouet's division thrown frankly into the fight, while the sixth corps, moving through the wood, closely turned the village, the passage must have been forced and the left of the new position outflanked; but now Lord Wellington having all his reserves in hand, detached considerable masses to the support of the regiments in Fuentes. The French continued also to reinforce their troops, until the whole of the sixth corps and a part of Drouet's division were engaged, when several turns of fortune occurred. At one time the fighting was on the banks of the stream and amongst the lower houses, at another upon the rugged heights and around the chapel, and some of the enemy's skirmishers even penetrated completely through towards the main position; but the village was never entirely abandoned by the defenders, and in a charge of the 71st, 79th, and 88th regiments, led by Colonel M'Kinnon against a heavy mass which had gained the chapel eminence, a

great number of the French fell. In this manner the fight lasted until evening, when the lower part of the town was abandoned by both parties, the British maintaining the chapel and crags, and the French retiring a cannon shot from the stream. When the action ceased, a brigade of the light division relieved the regiments in the village, and a slight demonstration by the second corps near Fort Conception having been repulsed by a battalion of the Lusitanian legion, both armies remained in observation. Fifteen hundred men and officers, of which three hundred were prisoners, constituted the loss of the allies; that of the enemy was estimated at the time to be near five thousand, but this exaggerated calculation was unfounded."

Although Wellington succeeded in maintaining his position, the garrison of Almeida, by some remissness, unfortunately escaped. Not many days after the indecisive battle of Fuentes d'Onoro, Beresford fought the battle of Albuera in which Soult was very near winning a victory, and but for the arrival at the critical moment of a fresh division of British troops he certainly would have done so. In this action Colonel Hardinge distinguished himself by the promptitude and judgment with which he led the fusiliers; their splendid charge won the battle. Massena was now recalled by the Emperor, and Marmont appointed commander-in-chief in his stead. On the British side Lord Wellington in person undertook the siege of Badajos, having sent Beresford to watch the movements of his defeated antagonist, and placed Sir Brent Spencer to keep ward upon the borders of Castile. The British attacks upon fortresses in the Peninsula were very peculiar, and all of one type. Instead of the long problem of a siege, worked out from step to step to an inevitable conclusion, Wellington pitted the courage of his men against stone walls, and saved time at the expense of a considerable outlay of lives. There was, indeed, no time to lose at Badajos, for Drouet had marched from Castile to form a junction with Soult, and he might soon expect to be disturbed. He was also deficient in material for conducting a regular siege; but he determined to have the fortress. On the 25th of May he broke ground: on the 2d of June opened fire: on the 6th delivered his attack. This was quick work to make with a fortress of the first-class, and the attack directed against the outwork of St. Christoval failed. On the 9th another attack failed. The junction of the French armies was now effected by their patrols; they approached, and Wellington uncoiled his army from about the successfully resisting fortress, and leaving the 3d and 7th divisions to keep up a blockade, he concentrated on the scene of the last battle—the field of Albuera. He had with him 35,000 men, of whom about 14,000 were British. The French were about 60,000, and much stronger in cavalry and artillery. Fortunately Marmont, by a meaningless delay of five days, gave Spencer's divisions time to arrive, and thus raise the numbers nearer to, though they remained far from, an equality. After they had stood menacing each other for some time, the French withdrew. Lord Wellington having got a new siege train from England, now set about the siege of Ciudad Rodrigo, into which, unfortunately, Marmont had succeeded in throwing abundant supplies. He was obliged, in consequence of this, to give up the idea of a regular siege as too long and formidable in the face of the reinforcements to Marmont's



army. Another large convoy made its way into the fortress, which was now so well supplied that its reduction would evidently have cost several months. Wellington again saw the tide of Marmont's army rolling up towards him, and as he had risen from Badajos to face the same general at Albuera, so he now drew up on the heights of Elbodon. A slight combat took place there, in which Marmont lost a famous opportunity, for only a small part of the British were in position, and he might easily have overwhelmed them with superior forces. After a reconnoissance of cavalry and artillery he allowed Wellington to draw back undisturbed to his wings. But still the English army was imperfect, and again Marmont missed his opportunity, and from having exhausted his marching supplies was obliged to fall back upon his cantonments.

Mr Gleig thus sums up the difficult part which the Irish general had to sustain in this section of the war:—

“So ended the campaign of 1811; in point of fact the hinge upon which the issues of the whole war in the peninsula turned. It put a strain upon the physical energies and mental resources of Lord Wellington greater than any which either before or afterwards they were called upon to endure. In the face of an enemy superior in every respect to himself, he had formed an army out of the levies of Portugal. He had created a patriotism both on the part of the government and of the people which was not natural to them. He had established a system of credit which enabled him to pay his way at times when scarcely a dollar remained in the military chest. He had arranged for feeding out of supplies provided by himself, first his troops, Portuguese as well as English, and then a large amount of civil population which the war had driven back into the capital and the villages round it. Of his choice of ground for the lines of Torres Vedras, and of the secrecy and skill with which he rendered them impregnable, it is not necessary to speak. It was the inspiration of genius which suggested the idea; it was a resolute will acted upon by forethought of the widest range which compelled the realisation of the idea. His conduct in the war was in perfect keeping with the bent of his deliberation in council. He looked always to the issues of the war. The passing success, however brilliant, had no charm in his eyes except so far as it seemed to bear upon the great end for which he was striving. He permitted Ciudad Rodrigo, and then Almeida, to fall, despising the clamour which assailed him, because their temporary deliverance would have been purchased at too high a price, had a few thousand lives been sacrificed to insure it. He turned to bay at Busaco because a battle was necessary to restore the confidence of his army, and he abstained from sallying out of his lines one moment before the time, because the retreat of Massena was inevitable, and the longer it was delayed the more disastrous its consequences must be to the fugitives. If he exhibited caution in the beginning of the pursuit, his operations subsequently to the evacuation of Santarem by the French were all marked by consummate boldness and rapidity. The skill with which he turned Massena away from Coimbra into the barren valley which is enclosed between the mountains and the Mondego was a master stroke of tactics; and his battle at Fuentes d'Onoro shewed that with an important object in view he

was ready to confront the most adverse circumstances, and to overcome them. Observe, too, how his eye ranges over the whole theatre of war, and misses nothing. He had saved Portugal by saving Lisbon; he now toils to keep the country clear of an enemy on every side, and he succeeds. Badajos is betrayed by its Spanish governor, and the Alentijo lies open. He detaches Beresford to cover that frontier, and follows to arrange upon the Marshal's plan of operations; he is back again on the Coa in time to receive Massena, and appears once more in Spanish Estremadura just as he is needed to baffle Soult. And now, though too weak to recover either Badajos or Ciudad Rodrigo, he keeps both places in a state of constant alarm, compelling the enemy to concentrate their armies in order to avert a blow, and relieving thereby from heavy pressure the provinces whence their troops were withdrawn."

During the autumn the English army was much weakened by sickness, caused by the long-continued wet weather, but as winter went on the Emperor drew a large force out of Spain, so that the relative proportions remained about the same. The French contracted their lines, and Wellington saw in this an opportunity for falling upon the two great fortresses of Ciudad Rodrigo and Badajos. The difficulty of capturing them with hostile armies on the horizon was of course very great, and obliged the general to adopt a rapid method of siege. On the 7th of January Ciudad Rodrigo was invested; on the 19th two breaches were declared practicable, and on the night of that day the assault was delivered, all the outworks having been previously taken by *coup de main*. The resistance was desperate, but unavailing. In the siege and assault more than a thousand of the allies fell; and when the troops entered, the town was sacked and set fire to in many places. Marmont was slowly drawing towards the scene of action when he received the unexpected intelligence that the place had fallen; he had nothing for it but to withdraw, and he took up and fortified a position at Salamanca. Wellington followed up the storming of Ciudad Rodrigo by the investment of Badajos. He had already made considerable preparations for a third siege of that place, and he now possessed a powerful battering train, in which he had formerly been deficient. In the face of the most trying difficulties from weather and accident, and a brave garrison of 5000 men, under the command of the resolute and skilful General Philippon, the siege proceeded like Wellington's other sieges. There were no scientific approaches; the guns pounded work after work; the troops stormed them; there was of course frightful loss, but a saving of time was effected, without which the enterprise would have failed. The assault was one of the most terrible ever witnessed; it was literally like rushing into a volcano's mouth, and the troops under General Colville perished by hundreds in the blazing ditch. There was a regular butchery of the first assailants. But the British soldiers seemed more than human to the defenders; twice again they returned to the assault, and each time were repulsed with frightful loss. Lord Wellington watched this scene with a paleness which alone betrayed his emotion. He was giving orders for a fourth assault, when the welcome news reached him that Picton, who was only intended to make a feint, had taken the castle by escalade, and that another similar attack had been successful

against the bastion of St Vincent. The garrison being taken in the rear had no resource but to surrender after some sharp street fighting, and so the second great key of Spain once more changed hands. The loss of the British in killed and wounded exceeded 5000 men, of whom 378 were officers. Nothing could exceed the amazement of the French marshals at this second stroke; the report of the siege and the shock of the result were almost simultaneous. Both Soult and Marmont were extremely dilatory, the latter especially. The Duke of Dalmatia, in the expectation of combining with his colleague, advanced with 24,000 men; but only to be obliged to retire precipitately; and in an affair at Villa Garcia his cavalry suffered some loss. Wellington would have been glad to pursue him and strike a decisive blow, but the Spaniards had neglected his orders for provisioning Ciudad Rodrigo, and he was obliged to go to the protection of that place, menaced by Marmont. He soon compelled that general to retire; and the various armies returned to the same relative positions they had occupied before the capture of the two fortresses. As summer came, Wellington made up his mind to attack Marmont at Salamanca, and, as a prelude to this, ordered Hill to perform the hazardous enterprise of destroying the bridge of Almaraz, and thus securing the right of his army; and this was performed with great success by general Hill, with 6000 men. Wellington's army now amounted to about 56,000 men, of whom 42,000 were the disposable force; opposed to him were five armies, numbering in all about 218,000, and, of course, the only chance was to attack them in detail. It was arranged that a body of 10,000 men should be landed from Sicily, and, supported by Spaniards, should effect a diversion in Catalonia by engaging the attention of Marshal Suchet; but this force did not arrive in time to obtain the desired result. Lord Wellington, however, felt himself strong in the well-tryed valour of his troops to dare an attack to the north, and bring down upon himself two, or perhaps three, of the other French armies. He had nothing now to hope from the Spaniards: from bad to worse their undisciplined forces had almost entirely melted away; but what was a greater difficulty was the want of money; for the paper currency which he had invented, and which passed in Portugal, would not be taken in Spain. Facing these difficulties, however, he made a rapid advance upon Salamanca, where Marmont had fortified three large convents. The French forces were scattered, and while great efforts were being made to draw them together, there was time to attack the convents; but they made a tougher resistance than was expected, and it was necessary to send for siege guns and ammunition. This gave the French time to muster 25,000 men to the relief of the forts; and such a manœuvring force was sufficient to suspend the siege; in a couple of days, in which Wellington has been blamed for not attacking, it received reinforcements that brought it up to 36,000 men. After two days manœuvres, in which Marmont failed in his object of communicating with the convents, he withdrew his army, fearful to hazard a battle, and Wellington, having got all that he required from Almeida, continued the siege of the convents. This petty siege caused a delay of ten days, and gave the French time to concentrate. At last the forts were stormed, and Marmont, who had hoped they would hold out until he had obtained the co-operation of other armies, thought it prudent to retire, and suc-

ceeded in putting the Douro between him and his pursuer. The position which he assumed on the other side was so commanding that Wellington preferred, to attacking him, waiting for his supplies to be exhausted, as they were certain to be in the course of ten days. Meanwhile the other French armies were not moving to the Duke of Ragusa's support; on the contrary, King Joseph considered him sufficiently strong to fight single handed, and he was at length obliged to advance and endeavour to throw himself between the British army and Ciudad Rodrigo. Having succeeded in bringing his army back across the Douro at Tordesillas, some days ensued of most admirable manœuvring on both sides, the advantage in this bloodless game, conducted within cannon-shot of each other, rather lying with the French marshal. At length, hearing that the latter was about to be reinforced with the cavalry and artillery of Caffarelli's army, Wellington determined to retire on Ciudad Rodrigo, but his intention becoming known to Marmont by an intercepted dispatch, he endeavoured to prevent the movement. This led to the battle of Salamanca, to which place the tide of war had now flowed back. The French succeeded in seizing one of the hills called Arapiles, which commanded the English retreat, and was enabled to intercept the route to Ciudad Rodrigo. But their order of battle was too extended, and Wellington perceived that there was a fatal gap between their left and centre. The battle that ensued was short and decisive. The allies attacked simultaneously the Arapile, which was occupied by Bonnet, and the left and centre of the enemy. Marmont, Thonière, and Bonnet, the three generals next to each other, were successively wounded; and before Clausel, on whom the command devolved, could come up from the extreme right, the battle was lost. All that was left for him to do was to save the beaten army. The obstinacy with which Bonnet's troops held the hill, and the bravery of the rear-guard under Foy, alone enabled the French to make good their retreat on Alba de Tormes. As it was, the defeat was most decisive, and in the pursuit a large number were taken prisoners. The loss of killed and wounded was nearly equal; on the French side, about 6000; on the side of the allies, 5220. The latter made between 6000 and 7000 prisoners; they took two eagles and eleven cannon. This great victory won for Lord Wellington the title of Marquis of Wellington; it had a moral effect on the whole European war, and opened the way to Madrid. To the Spanish capital the victorious army marched without obstacle, King Joseph being obliged to beat a hasty retreat across the Tagus. Lord Wellington entered Madrid on the 12th August; the city seemed to go mad with joy, and the public rejoicing was manifested in the enthusiasm with which the general was greeted as he rode through the streets, the shouting, the illuminations, and entertainments. The women struggled to embrace him when he alit from his horse, and stately hidalgos forgot their dignity to do him honour. Although he remained in Madrid until the beginning of September, it was no Capua to Lord Wellington. On the very day of his entry he commenced the siege of the Retiro, a small fortress dominating the city, which contained a great accumulation of stores, guns, ammunition, and small arms. This place was reduced without much loss or difficulty, and 1700 men rendered themselves up prisoners of war. But disquieting rumours soon set Wellington on the move again; although



the French forces in the Peninsula had been greatly reduced to feed the Russian invasion, they were now forming a combination; the beaten army of Portugal was threatening the communications, and King Joseph and Soult were moving to meet it. Thus a force of 90,000 was gathering, and Wellington hoped to strike a blow at Souham, who lay between Valladolid and Burgos, before the union could be effected. Leaving a force in Madrid, he collected some outlying forces and passed through Valladolid, pushing back the enemy before him. A fatal obstacle, however, lay in his path; it was the castle of Burgos, a work which was much stronger than it appeared. The French general, still refusing a battle, had passed by, and the guns of the castle commanded the road of the pursuer. Wellington, without siege guns, hoped to take it by the bravery of his troops; he even refused the offer of ships' guns, and strove to breach it with eighteen-pounders, and construct mines and saps with unskilled men. Failure attended the various efforts, and the assault was repulsed with slaughter. In the unsuccessful siege of this small fortress more than 1500 men fell. But the delay was worse than the loss. Wellington was at last obliged to pass above and below Burgos; but it was too late to prevent the junction of the French armies, and he was now obliged in his turn to make a difficult and disheartening retreat, in which the army, shoeless, and in rags, suffered the severest privations. It required the exercise of all his skill to prevent himself from being separated from Hill, and he had at the same time to reach out a hand to a division of guards just landed at Corunna, and to manœuvre to protect several vital points. He succeeded in these various objects, and at last got his army safely behind the Agueda, where, the French having outmarched their supplies, the army was allowed to rest and regain its discipline. In this retreat the allied army suffered the indignity of having the general second in command, Sir Edward Paget, captured by the pursuit. However, Wellington was soon able to have an ample revenge, and in the meantime he never showed greater generalship than in this very hazardous escape. Indeed, in adversity he was always more admirable than in success, and he seemed to gain presence of mind and promptness of resource from the extremity of danger. This retreat had a bad effect on the governments of Spain and Portugal; the one intrigued with the enemy, the other wavered and grew restive. Many of the Spanish nobility went over to the enemy; and king Joseph obtained numerous Spanish recruits for the army and navy. During the winter of 1812-13, however, Lord Wellington, cast down by none of these things, put his army, which had received large reinforcements, into the most perfect order. It was one of his most distinguishing traits as a general that he paid the minutest attention to details, and brought all the arrangements for transport and commissariat to a perfection unknown in those days. He was as great an administrator as tactician. When at last the winter began to break, he found himself with an available army of 40,000 British, 27,000 highly disciplined Portuguese, and 20,000 Spanish troops ready to take the field. This was exclusive of detachments, and was the largest force he had yet had under his command in the Peninsula. On the other hand, the French had 230,000 men scattered through Spain, in garrison or in the field; but they had

no confidence in king Joseph, and were dispirited by the bad news from Germany. The spring was a wet one, and it was the 15th of May before Wellington was ready to move. Having deceived Joseph—who exhibited the most lamentable incapacity, neglecting the advice of his brother to concentrate at Valladolid—into supposing that he was about to march upon Madrid, Wellington turned aside, advancing with the right in the direction of Salamanca, with the left and stronger arm under Graham, through *Tras-os-Montes* on the *Esla*. Joseph, who had been able to collect only an inferior force, resolved to retire by Burgos, and thence by Miranda and Vittoria to join the army of the north. This movement was effected, but the army of the north came not. The disobedience to orders or remissness in carrying them out was one great cause of failure on the French side through all the peninsular wars. Suchet had his own objects and plans, on which he was intent; and at all events the order was conveyed to him too late. The French had omitted to repair the defences of Burgos, which was pronounced indefensible by Marshal Jourdain; this was another proof of the mismanagement and laxity which had entered into the affairs of the French. As the rear-guard left Burgos, pushed by Lord Wellington's columns, it was necessary to blow up the castle, which on a former occasion may be said to have saved the French army, and cost the allies so dear. This saved a siege and took an obstacle out of the way of the pursuers which Wellington had determined not to leave behind him. King Joseph crossed the Ebro and imagined himself safe. He had gained his great object by covering the Bayonne Road, so as to preserve his communications with France. Clausel was moving up, and would soon make him superior to the allies in numbers; if they ventured to cross the river and attack, he expected the blow would be delivered in front. But instead of this Lord Wellington moved to his left and crossed the river by the bridges of St. Martin and Rocamunde, making straight for Vittoria, and thus avoiding the strongly marked and difficult country in which king Joseph expected him. The French were also obliged to close in on Vittoria, after a fruitless attempt to make a stand at Epijo. By the movements which Wellington ordered, the light division—Graham's forces—interposed between the French and the sea, not only opening a direct way of communication with England, but cutting that with France through Guipuscoa. This object was accomplished over ranges of mountains and through the most difficult roads; but the accuracy and combination with which it was performed were most fortunate, and the French without having dreamed that such an attempt was being made, found that their right was turned by the allies, who were fast getting to their rear. This compelled king Joseph to draw back his line of battle, which he did by night Marches on the 19th and 20th of June, thus fatiguing and dispiriting his troops. Nothing could be much worse than the position he now assumed. It was too extended; rivulets and other obstacles in front made it impossible for his powerful cavalry to act; the ground between his divisions was similarly intercepted, so that they would have difficulty in supporting each other, nor could the position of the guns be changed with facility. The right was separated from the centre by a wide space; and finally, the only retreat, which was through Vittoria, was

blocked up with the whole plunder of Spain. Lord Wellington, having reconnoitred the enemy's position on the evening of the 19th, made his dispositions for the battle of the morrow. The attack was to be made in four columns, two to force the centre, one to overwhelm the left and seize the height of Puebla, the fourth to strike right at Vittoria itself. It was necessary for all to pass the Zadora, a stream which lay along the whole front of the French position. Hill's attack upon the left was successful; the height was easily taken, but desperate struggles were made by the French to regain it; the Spanish troops gave way, but a brigade of British troops held it against all-comers. On the right, the French General, Reille, made a resolute and skilful resistance to Graham. The centre was driven back in confusion; the whole army was defeated and converging back upon Vittoria, which was blocked up with endless waggons and carriages. Behind them Graham had succeeded in getting to the rear of their position, and seizing the great causeway to Bayonne. It was only Reille's gallantry that saved the wreck of the army of Portugal. Driven back upon the causeway, Reille's stands from point to point gave them time to retreat by their left. The whole artillery, numbering 150 guns, was captured; they lost all their baggage, ammunition, treasure, and plunder. King Joseph had the narrowest escape; he had to jump out of his carriage and fly from the English dragoons on a troop horse. The dragoons captured the carriage with all his private papers, a priceless Coreggio, which he was carrying out of Spain as an object of private plunder, and Marshal Jourdain's baton. Endless were the trophies and spoils of victory. Nearly two thousand prisoners were taken, and if it had been possible to use the cavalry, the number would probably have been five or six times greater. The French loss in killed and wounded was about 4000; the loss of the allies was about the same. General Clausel, who was bringing up 20,000 men, had the mortification to behold from a sierra the routed army of Portugal in confused retreat, pursued by Lord Wellington's army, which interposed between and prevented his rendering assistance. He could only after seeing the result of this royal battle extricate himself as best he might, which he effected by a skilful march along the left bank of the Ebro to Logrono. Lord Wellington sent some troops to force him in the direction of Saragossa and hang upon his retreat, whilst he himself formed the blockade of Pampeluna, established communications, and freed his rear. Foy's division also drew near at the time of the defeat, and with difficulty and loss escaped from Graham to Tolosa and thence to Ernani. The routed army of Joseph was pursued on the Bayonne road, parallel to which the battle had been fought, by the divisions of Hill. The genius which Wellington displayed in this march of concentration on the Douro, and in turning the enemy's position, was thrown into bright relief by the incapacity of king Joseph. The physical exertion involved in this campaign is thus summed up by an author from whom we have quoted before. "In less than two months he carried his army over 200 leagues of difficult country, crossed six considerable rivers, fought and won a great battle, invested two fortresses, and drove before him out of Spain 120,000 French troops." He had now the Pyrenees, with their fortresses of San Sebastian and Pampeluna before him, and then France. Pam-

peluna he left to fall by its own weakness, knowing that it was badly supplied; he simply blockaded it with some Spanish and Portuguese forces. San Sebastian he put in charge of Sir Thomas Graham. Between the two fortresses he spread his own army through the Pyrenees, having his head quarters at Ernani. The only fighting went on at San Sebastian, which place Lord Wellington visited and settled the plan of the siege. The land defences were strong and his siege train was weak; he therefore determined to attack the fortress by the sea curtain, which could easily be breached, and was approachable on foot when the tide was low. One preliminary attack on the outwork of St Bartholomew failed; this took place on the 14th of July; on the 17th the assault was successful, and by the fall of this defence the neck of the peninsula on which San Sebastian stands was taken, and the projected attack by the sea curtain was thus made possible. At last a great breach was made in the sea-wall, and part of the counterscarp was blown into the ditch by the explosion of a mine. Lord Wellington having just then arrived from Ernani, ordered another breach to be made, and then the assaulting column moved round over the slippery rock, sea weed and pools, from which the tide had withdrawn. But on gaining the other side they found themselves exposed to a pitiless fire from the *fausse braie* of a hornwork. Few gained the breach; these few could not enter, and remained to be deliberately shot down in the open. At last the *recal* sounded; of the few that tried to make their way back through the tide some were drowned. The besieged humanely rescued the wounded who lay below the breach.

Meanwhile, the French were making head again. Soult had taken the place of Joseph and Jourdain. He lay in the mountains, his left, under Clausel at St. Jean-Pied-de-Port, and Reille held the mountains over Vera. Drouet commanded the centre, and occupied the heights between Espalette and Ainhoe. Fresh artillery had been procured from Bayonne. Soult's position was superior to Wellington's, having some roads of intercommunication, whereas the allies were divided by inaccessible mountains. It was thus in his power to attack the latter with an overwhelming force at left, right, or centre; he had a formidable rampart of mountains to retreat upon, in which respect also the allies were inferior. The orders given to Soult were to assume the offensive at once; and he resolved to carry them out by attacking from his own left, relieving Pampeluna, and then after driving away the allied right, to attack their centre or fall on the rear of the force besieging San Sebastian, while a corps crossing the lower Bidassoa attacked it in front.

On the 25th of July, having drawn his right under Reille, and his left under Clausel, and united to them a portion of D'Erlon's centre, he put himself at the head of 40,000 men, and fell upon the troops that held the famous pass of Roncesvalles. Reille climbed the steep mountain of Arola in order to turn the pass. The 4th division held their ground; a company of the 20th met the wave as it washed over the crest. The French commander called on this handful of men to lay down their arms; but a certain captain Tovey, in command of the company, cried out "bayonet away, bayonet away," which order was so well carried out that the huge column being met full on the crest,



was rolled down it again, and the troops were thus given time to form. It became necessary, however, for the brigade in advance of the pass under general Byng to retire in consequence of Count Reilles' progress. In the night that followed this day of battle in the mountain passes Sir Lowry-Cole considered it necessary to withdraw to Lincoln, where he was joined by Campbell's Portuguese, and at early morning, by Sir Thomas Picton with the whole 3d division from Olague, a post half-way nearer to Pampeluna. Picton now assumed the command; he had all the forces with him that could be collected on the right, but still he was forced back on Pampeluna, whenever he was too much pressed turning to bay and goading the pursuer. On the 26th a firm stand was made at Zubiri till night-fall, but next day the retreat continued, until at last the spires of the beleaguered city came in sight, and it was with great chagrin the general and his troops looked forward to being compelled to allow Soult to relieve the place. But as they passed Saroren, two horsemen were riding into that village, one was Lord Wellington, the other his aide, Lord Fitzroy Somerset (Lord Raglan). On the mountain brow Clausel's troops were distinguishable marching to intercept Hill, who had already on the day of the fight at Roncesvalles been furiously engaged and compelled to retire by the French centre under D'Erlon. Hill had been ordered to march to the assistance of the right by the valley of the Lanz; but Lord Wellington now perceived that the columns which he saw creeping high up in the clear atmosphere would cut him off. Jumping off his horse, he scribbled a note on the parapet of the bridge and gave it to Lord Fitzroy to carry to Hill at his horse's speed, ordering him to take a wide detour by Lizasso and so reach the front of Pampeluna. As the general leaped on his horse, and dashed out at one end of the village, Soult's light troops entered at the centre. Picton had reached Huarte when a messenger whom Wellington had previously despatched ordered him to halt. Wellington, meanwhile alone, crossed a steep range of heights. "Over the valley at the further side uprose another ridge, which he ascended, and being recognised as he approached the summit, by a Portuguese battalion, the men raised a cry of satisfaction. It was at once caught up by the third and fourth divisions which stood under arms not far off, and they, delighted as in moments of danger the troops always were, to find their commander near them, rent the air with their shouts. Soult heard the tumult and perfectly understood what it meant. Almost involuntarily he stopped the march of his troops, and ascending a hill opposite to that on which Wellington stood, the two generals gazed at one another." It was the anniversary of Talavera, where twelve of the twenty regiments that day engaged had been; it was generally recalled by the troops, on whom a sunshine of confidence had fallen with the presence of their chief. Wellington made no change in Picton's dispositions. The first day's battle was indecisive; the only advantage of position the enemy had was the road to Bayonne, which cut off direct communication with the centre; but by ordering Hill to fall back and join by Lizasso this was rendered harmless. The 6th division came up on the second, and held the ground behind Saroren with the Portuguese and Byng's brigade; then stretching away to the right from Huarte to Ostiz lay the 3d

and 4th divisions. The left was the first day assailed, but remained unshaken, and inflicted desperate punishment on its assailants. A column of attack which endeavoured to dislodge the new division as it came on the ground was almost annihilated by the fires on its flank of the 4th, and in front of the 6th. An attack on the extreme left of the centre (4th division) succeeded for a time; but the 27th and 48th regiments being ordered to charge, drove the enemy down the hill with terrific slaughter.\* After this the fighting grew faint; the 29th passed quietly, both sides waiting for reinforcements. Hill and D'Erlon, combating as they came, approached the scene of general action. At the pass of Arêtesque, in the temporary absence of the general, the troops which guarded the pass had been surprised, and although the regiments, as they could be got into action, charged as British troops generally do, the heavy columns of attack had gathered too much way, and the whole corps had to fall back to Elizondo. There, reinforced by a brigade of the 7th division, Hill turned the battle back to the passes and recovered the key of the position. Then receiving Wellington's order, and hearing of the retreat from Roncesvalles, he marched for Pampeluna by the pass of Belate; but the note despatched by Lord Fitzroy Somerset apprised him of the danger of pursuing this route, he turned off to the right, and gained Lizasso on the 28th. The 7th division, by a similar detour, reached on the same day half-way between Hill and the battle field; the allies thus forming a line covering Pampeluna. D'Erlon, after losing a day, owing to the caution which Hill's desperate rally had inspired, discovered that his antagonist had moved off to his right, and followed his example by the shorter route of the valley of the Lanz. Thus, moving on an interior line, D'Erlon arrived an hour later than Wellington's reinforcements. But although rendered superior in numbers to the allies, Soult did not feel inclined to renew 'the bludgeon work' of the 28th, as Wellington described the close hand-to-hand fighting of that day; what his troops had failed in achieving, when elated by success, they were very unlikely to accomplish when demoralised by failure. He therefore determined on a bold stroke to relieve San Sebastian by suddenly moving to his right, of course screening the movement, and falling with his full force upon Hill. But Lord Wellington was too keen not to divine the import of this dangerous move by which he presented the whole flank of his army to the allied front. Through every gorge the flanks of his columns were attacked by the heads of British battalions. To accomplish this movement, by which he hoped to cut off the left from the centre, forcing Wellington to retreat upon Pampeluna, Soult had been obliged to send back his artillery, for which the route was impracticable. This saved the guns, while it left his army unprovided for the stand up fight to which it was forced by Lord Wellington's general attack. The strong positions occupied

\* An eye-witness says that during this day Lord Wellington sat on the mountain where he could see the whole battle within close musket range. Several of his staff were wounded. A ball which glanced off the Marquis of Worcester's sword-belt, and threw him from his horse, grazed the general. Here, as at Vittoria, where he rode through the fire of that tremendous French battery of eighty guns, he displayed a personal courage that matched his military genius.

by some of the French troops were stormed by the valour let loose of the British army. The left wing of the French was broken into routed fragments, which were obliged to retreat excentrically in all directions, and this before the centre bent upon Hill had fired a shot. On the latter Wellington turned in pursuit, having previously reinforced his lieutenant and reached Olague in the rear of Soult's attack as the sun set. The next morning the attack commenced upon Sir Rowland Hill; it was gallantly repulsed, and although superior numbers at length forced the English general to give ground, the reinforcements which arrived enabled him to hold his new position. As the day closed Soult found how matters stood and the imminent danger of his army. It was only by the great rapidity with which he seized the only road of retreat open to him, that by San Estevan to Bayonne, that he managed to save himself. Lord Wellington did all that could be done to intercept him, while Sir Rowland Hill pursued with vigour, and inflicted some loss. But the very severity of the pursuit put the French upon their mettle, and obliged them to retreat with the greatest possible rapidity. The 7th was one hour too late to stop them at the pass of Arraiz. The light division also missed them, only catching them on the flank, and inflicting some loss; and a bridge which, as it was, stopped the retreat for several hours, guarded only by a few Caçadores, ought, if Lord Wellington's orders had been carried out by General Barcenas, to have been a cage door shut upon them. Soult made a last stand at the strong defensive position of La Rhune, but from this he was driven by the 7th division in Lord Wellington's presence, "with a regularity and gallantry," he stated in his despatch, "he had seldom seen equalled." In this nine days' mountain warfare the loss of the French, by their own admission, was 13,148 men including 2700 prisoners; but as 6000 prisoners were shipped for England, this is obviously an incorrect return. Probably 20,000 would be nearer truth. On the other side, the loss of the allies amounted to 6300. To reduce the two fortresses of the Pyrenees was now the last step to effecting the deliverance of Spain, and to this task Wellington returned with all speed, satisfied that another attempt would be made to relieve them. A suitable battering train had now arrived from England, and the fire upon the breaches was resumed with great effect. Sixty-three great guns pounded the curtain of the river front, and battered the two former breaches into one. Lord Wellington humanely forbade the bombardment of the town, but the guns of the fortress were soon dismounted, and a great portion of the wall reduced to a heap of ruins. In five days after the recommencement of the fire a second assault was delivered. Again there was a terrible carnage of our troops, who for two hours pressed on against the breach, in the rubbish of which they vainly attempted to effect a lodgment. They were exposed to fire from all parts of the fortress, and deep intrenchments behind the breach made advance impossible. The tide again came stealing up in the rear to cut off retreat. There was only one circumstance as yet in favour of the attack—the premature explosion of the mines. But at last, when all seemed hopeless, Sir Thomas Graham asked Lieutenant-Colonel Dickson, who commanded the artillery, if he could suggest any mode of giving an impulse to the attack. At his suggestion, the siege batteries opened fire at the enemy's

intrenchments. Forty-seven great guns converging upon the breach made it untenable for the defenders, and so great was the precision with which they were directed that the storm of missiles passed within a few feet over the heads of the assailants without hurting a man. At last a shot fired the heaps of shells, firebarrels, and grenades placed along the ramparts for the defence, and their explosion caused a great slaughter of the French. Thus the novel experiment of sweeping the breach with artillery over the stormers' heads proved completely successful; on the explosion taking place, a rush was made, the first traverse seized, and the enemy driven from the ravelin and horn-work; fresh troops, wading through the rising water, supported the attack, and the Portuguese Caçadores entered by another breach. The scene that followed was terrible; nature seemed to join in the rage of man, for a tremendous thunder storm broke over the town, which was now in flames, the fire of the garrison from the castle making it impossible to quench them. It was in vain that the officers endeavoured to prevent their men from plundering the town, and committing many shameful outrages. Casks of wine and spirits had been designedly left about by the French, and the thirsty soldiers drank to excess; none could be got to make an effort in time to extinguish the fire, in which many perished. The remnant of the garrison held out for some time in the castle, but at last, their magazine having blown up, 1800 men and the brave General Rey surrendered, and were admitted to the honours of war. The loss of the allies in the siege and storming of San Sebastian exceeded 4000 men, of whom half fell in the final assault. This was the last of Wellington's rapid and terrible sieges; it was in each case his necessity to snatch a fortress from the enemy. In this instance Soult made a last effort to succour San Sebastian. He collected 25,000 men on his right, opposite the heights of San Marcial, while Clausel, with 20,000 appeared at the pass of Vera. The latter was disconcerted by a feint of Hill to move round his left upon St Jean Pied-de-Port, and Reille's attack on the heights of San Marcial, which were chiefly held by Spaniards, was entirely unsuccessful. The loss of the French was heavy in this affair, being about 3600 men; the loss of the allies was 2623, of whom three in five were Spaniards. To have been beaten almost entirely by Spaniards was a great humiliation to the French army, and the moral effects of the battle on both sides were perceptible in subsequent operations. The French marshal had to leave San Sebastian to its fate and prepare for the defence of the sacred soil, about to be contaminated by invasion. To this enterprise Lord Wellington now turned his attention. He looked at it with his usual caution and freedom from illusion; he felt the danger of leading his starved Spanish troops, who were completely neglected by their miserable and aggravating government, into such a military country as the republic and empire had made France; a popular rising, provoked by plunder and ill-usage, would cause an innumerable army to start out of the ground and surround them on all sides. The Duc de Berri offered to bring 20,000 royalists to his standard; and, although he hesitated to accept this offer, he felt how disadvantageous it would be to check the incipient reaction. Without the Spaniards, on the other hand, was he strong enough to attempt such an enterprise from which there would be no turning back? In



the north of Europe the allies were not yet making sufficient head to insure an attack in the south from being met with double forces. It was at this time that the allied sovereigns wished Lord Wellington to assume the chief command of their armies. His fame as a commander now rose high above that of any other European general, excepting Napoleon, and he was, moreover, the solitary man who had preserved the spell of victory unbroken, when the most skilful had been overthrown and discredited. All men wished to see those two so opposite, but unrivalled leaders, pitted against each other on the great battlefield in opposite quarters of which they had hitherto fought, both, like mighty champions, overturning all who came in their way, but borne asunder by the tides of war. A less man would have eagerly accepted the offer of the potentates of Europe to be thus set up as their champion, to contend with Napoleon in the lists; but even more where he was himself concerned, Lord Wellington decided with the cold, unbiassed reasons of a judge balancing a point of law. His victories in the south of Europe had already exerted a potent influence upon the wars in the north. Vittoria, for which he had been raised by his own government to the rank of Field Marshal, had decided the policy of Austria, and thus made the position of Napoleon next to hopeless. Lord Wellington judged that in the south, where he was absolute master, and enjoyed the fullest confidence, he was able to serve the common cause of Europe far more effectually than in the difficult position he would occupy at the head of the allied hosts which confronted Napoleon; for there his genius might be baffled by jealousies and impeded by the interference of the warlike sovereigns, and he would himself be strange to the post and have much to investigate. He therefore advised his government to decline the flattering proposal, thus sacrificing his own glory to the interests of the cause.

His military movements, however, while they influenced, also depended upon, events in the north of Europe. It was necessary, before committing himself to the invasion, to allow to develop more plainly the extent of the forces he might reckon on encountering. He had also to take into account the forces of Suchet, who lay on his right, and still held fast to the soil of Spain. Suchet was certainly not counterbalanced by the Anglo-Sicilian army, which was thoroughly mismanaged from first to last, and if he had obeyed orders, and that jealousy which paralysed the forces of France, and betrayed the low origin of her generals, had permitted him to co-operate with Soult, it would have been quite impossible for Wellington to have ventured upon a further advance. As it was, however, Suchet obstinately maintained the useless grasp he held upon a Spanish province, and remained out of the game until it was lost. This being the case, and having secured a base of operations, by erecting considerable earthworks at the mouths of the passes, he advanced to the passage of the Bidassoa in the beginning of October, after a month's preparation. This interval Soult had employed in preparing to defend the river and fortifying a still stronger line in the rear. Both generals issued proclamations: the one calling on the people to rise *en masse*, should their soil be violated, the other assuring them of protection, and bidding them remain quietly in their homes. No general had more claim to confidence in giving such assurance than

Lord Wellington. For many a year his memory lingered in the heart of Spain, and among the Portuguese, as "the just man" and "the good man." It was on the 7th of October, at three o'clock in the morning, in inky darkness, and amid a storm of thunder and rain which drowned the rolling of artillery and pontoons that Wellington moved forward. The French right lay behind the estuary of the Bidassoa, the channel of which is fordable for several hours when the tide is out. The fords were first carefully ascertained by Spanish fishermen, who, pretending to fish, waded about and obtained an exact knowledge of their position. The troops got into position without exciting the enemy's attention, and concealed themselves in the ditch and embankment along the banks until, at the proper moment, when the tide would suit, the signal rocket should go up. The conversation of the French pickets could be distinctly heard, as the troops thus lay shivering with wet, cold, and excitement in the ink of this October morning. As the first ghostly ray of day appeared, the whistle of the rocket was heard at last, and from the steeple of the church, to which all eyes were so long directed, the signal was seen ascending. Then, in one moment, the muddy, and apparently deserted, river-side became alive with soldiers. The three columns on the left were to cross over first; owing to the blunder of the Spanish general Freyre, some delay took place, but, fortunately, a staff officer discovered another ford lower down, and the troops crossed and seized all the enemy's redoubts almost without resistance. The French lost ten guns and many prisoners, and were pursued to their entrenched camp at Sarre. This was Lord Wellington's second brilliant exploit of crossing a river by surprise in the face of an enemy; and on each occasion his opponent was the Duke of Dalmatia. Although the left of the allies was thus successfully thrown forward, it was impossible to advance so long as Pampeluna held out. Soult concentrated all his energy on fortifying an entrenched camp about Bayonne, and a great line of field-works from St. Jean de Luz on his right to the mountain gorges of Espelette; on his left every practicable path and road was defended by a redoubt. In this strong line, which partly followed the course of the river Nivelle, 66,000 veteran troops lay across the invader's path. Far away on the left, the divisions of Foy and Paris lay at St. Jean Pied-de-Port, and threatened the besiegers of Pampeluna. The menace, however, was in vain, and the great severity of the winter, which set in with heavy rains, that flooded the mountain torrents, and made the paths through the valleys impassable, deprived the garrison of all hope of relief. After being reduced to a diet of horseflesh and a few ounces of bread, General Cassan surrendered on the 30th of October. He was only deterred from blowing up the fortress and endeavouring to cut his way through the blockade by Lord Wellington's threat to hang him and decimate the garrison in case he was guilty of this breach of the laws of war. Although the fall of Pampeluna enabled Lord Wellington to move forward, he could not but feel some doubt and hesitation, since Soult was nearly equal to him in numbers, the superiority being given to the allies only by the Spanish contingent, while Suchet might still form a junction with the army defending France. He was greatly urged by the government to push forward, in order to co-operate with the allies;

indeed, it had been in contemplation at one time to transport his army to the Netherlands, that it might form the right wing of the great European army. The news of the battle of Leipsic, and the advance consequent upon it, decided Wellington to move: for Napoleon was obliged to draw heavily on the forces of his lieutenant in the south. On the 10th of November the army advanced: it was composed of 40,000 British bayonets and sabres, 25,000 Portuguese, and about the same number of Spaniards. This force, with 90 guns, overmatched the French in numbers, but the latter had the advantage of position. It was perhaps too much extended; but the manner in which its natural strength was added to by works, which all flanked each other, left nothing in this respect to be desired. Wellington's plan was to break through the centre, and push on to Bayonne, cutting off from it the severed wings of the French army; it was necessary, however, to provide employment for the whole of Soult's line, and he therefore attacked in four columns. The centre attack was made by Beresford upon the projecting position of Sarre with three divisions—the 3rd, 4th, and 7th. The light divisions and Spaniards assailed the heights in the rear of Sarre, whilst another body of Spaniards interposed between the French right and centre to hold in check such reinforcements as might be sent to resist the principal attack. The right itself was assailed at Urogne by Sir John Hope, who was to make himself master of the Nivelle on its lower level, near where it flows into the sea at St. Jean de Luz; he had two divisions with him—the 1st and 5th—besides the brigades of Wilson, Aylmer and Bradford, Vandeleur's Light Dragoons, the 12th and 16th, and the heavy German cavalry. The French left, under Clausel, at Ainhoe, about fifteen miles from the right, was at the same time attacked by Hill with the 2nd and 6th divisions, Portuguese, Spaniards, and artillery. All the attacks proved successful; but owing to the obstacles which the country presented, it was impossible before the early November darkness set in to take full advantage of the successes which had been gained. Soult had thus time to withdraw in the night from lines that he had spent so much time in fortifying, but which were now untenable. His losses in the battle of the Nivelle amounted to 4,265, including 1,400 prisoners; the allies lost but 2,694. By breaking down the bridges over the Nivelle, Soult hoped to make a stand behind that river, but Hope crossed by a ford near St. Jean de Luz, and Beresford and Hill pressed forward, and the Marshal was obliged to fall back on his entrenched camp at Bayonne. Severe rains prevented Lord Wellington from following at once, and he was now obliged to cripple his army by sending back the Spanish contingent.

He was determined, both on principles of humanity and policy, that the inhabitants should be protected in person and property. By proclamations and general orders he endeavoured to impress this upon his troops and upon the people, calling on the latter to deliver up offenders to justice. He assured the magistrates of his protection, and he hanged English and Portuguese soldiers who were guilty of plundering. The Anglo-Portuguese army was cured; but the Spaniard is more revengeful. He had a long score to clear off; behind him lay his own country desolated and plundered, before him France, the country

from which his misfortunes had come. Nothing could exceed the neglect of the Spanish government in supplying its troops; they were unpaid and unfed, and this, combined with their revengeful feelings, made it useless to expect them to refrain from plundering the enemy's country. The Spanish generals remonstrated against Lord Wellington's severity; he replied thus to General Freyre:—"I did not come to France to plunder. I have not been the means of killing and wounding thousands of officers and soldiers in order that the survivors should pillage the French. On the contrary, it is my duty, and the duty of us all, to prevent pillage, particularly if we wish that our armies should subsist upon the resources of the country." To his government at home he wrote to explain the unfortunate necessity of weakening his army by one-fourth:—"I must tell your lordship that our success, and everything, depends upon our moderation and justice, and upon the good conduct and discipline of our troops. Hitherto these have behaved well, and there appears a new spirit among the officers, which I hope will continue, to keep the troops in order. But I despair of the Spaniards. They are in so miserable a state that it is really hardly fair to expect that they will refrain from plundering a beautiful country into which they enter as conquerors, particularly adverting to the miseries which their own country suffered from the invaders. I cannot, therefore, venture to bring them back into France unless I can feed and pay them, and the official letter which will go to your lordship by this post will show you the state of our finances and prospects. If I could but bring forward 20,000 good Spaniards, paid and fed, I should have Bayonne. If I could but bring forward 40,000, I don't know where I should stop. Now I have both the 20,000 and the 40,000 at my command upon this frontier, but I cannot venture to bring forward any for want of means of paying and supplying them."

The benefit of Lord Wellington's abstinence was probably much greater than the loss. "The natives," he wrote, "are not only reconciled to the invasion, but wish us success, afford us all the supplies in their power, and exert themselves to get intelligence for us." In another despatch, he writes:—"It is a curious circumstance that we are the protectors of the property of the inhabitants against the plunder of their own armies, and that their cattle, property, &c., are driven into our lines." The weather again retarded military operations, but some fine days in December permitted another advance. The allied army crossed the Nive by a simultaneous operation under Hope, Beresford, and Hill. After a sharp action Lord Wellington established his right upon the Adour, its communication being kept up with the centre through Villafranca and by means of a bridge over the Nive. Soult determined to take advantage of the wide interval of three leagues which separated those portions of the army, and massed his attack upon Hope, who commanded the right wing. The point of attack was Biarritz, on the Vittoria and Bayonne road. The plan was well designed, but badly executed. The Marshal was most confident of victory, but it perhaps arose from over-eagerness to seize the chance, that he began the attack before he had massed the overpowering force he intended to employ on the one point. The consequence was that Hope was able to hold his ground at first, and in a short time was reinforced; no ground



was gained by the French on the first day, and on the second Lord Wellington was in the field with four fresh divisions. Soult then resolved to move in the night, and fling his whole force, with the exception of a weak garrison left in the entrenched camp, on Sir Rowland Hill, who had with him but 13,000 men, and was isolated from the main body. So strongly, however, was Hill posted, and so confident were the British troops that no impression was produced, and just as Lord Wellington next day arrived on the ground with the 6th division, the enemy, who had been charged in their turn, and had lost heavily, were drawing off in discomfiture. In the two combats the loss of the allies was severe—it amounted to about 5,000; that of the French was 10,000, and besides, 1,300 Germans came over with their arms to the English side. Thus, by the wonderful valour of the British troops, the error, if it was one, of their general reaped victory from the elements of defeat. Lord Wellington's faults were few, but those few which he committed were at all times covered by British valour. The weather in which these battles were fought was very unfavourable to military operations, as the roads were next to impassable; but the rain now became so severe as to make further campaigning impossible for the time. From December to the middle of February 1814 there was a pause. In this interval the government, urged by Russia, again pressed upon Wellington either to make a rapid advance or to be transferred to the Netherlands, and co-operate with the allies in the North of France. The former he represented to be impossible, owing to the violent fall of rain; his objections to the latter course had best be given in his own broad and clear statement: "In regard to the scene of the operations of the army, it is a question for the government, and not for me. By having kept in the field about 30,000 men in the peninsula, the British government have now, for five years, given employment to 200,000 French troops, of the best Napoleon had, as it is ridiculous to suppose that either the Spaniards or Portuguese could have resisted for a moment, if the British force had been withdrawn. The enemy now employed against us cannot be less than 100,000 men—indeed more, including garrisons; and I see in the French newspapers that orders have been given for the formation at Bordeaux of an army of reserve of 100,000 men. Is there any man weak enough to suppose that one-third of the number first mentioned, would be employed against the Spaniards and Portuguese, if we were withdrawn? Another observation which I have to submit is, that in a war, in which every day offers a crisis the result of which may affect the world for ages, the change of the scene of the operations of the British army would put that army entirely *hors de combat* for four mouths at least, even if the new scene were Holland; and they would not then be such a machine as this army is. Your lordship, however, very reasonably asks what objects we propose to ourselves here, which are to induce Napoleon to make peace? I am now in a commanding situation on the most vulnerable frontier of France, probably the only vulnerable frontier."

He then recurs to the certainty that if he could pay and feed his Spaniards he might have his posts on the Garonne, and asks—"Does any man suppose that Napoleon would not feel an army in such a position more than he would feel 30,000 or 40,000 British troops laying

siege to one of his fortresses in Holland? If it be only the resources of men and money of which he will be deprived, and the reputation he will loose by our being in this position, it will do ten times more to procure peace than ten armies on the side of Flanders. But if I am right in supposing that there is a strong Bourbon party in the south of France, and that that party is the preponderating one, what mischief must not our army do him in the position I have supposed, and what sacrifices would he not make to get rid of us?" Although this reasoning prevailed with the British government, the southern invading army was deprived of its reinforcements, which were sent to Holland; and Lord Wellington was thus prevented from sweeping on so rapidly as he would, if he had been provided with that amount of force which he calculated would overtop the obstacles in his path. Soult was indeed greatly inferior in numbers; but in a war of defence the country was much in his favour; the roads were almost impracticable, the country abounded in morass, and almost every village presented a position of strength. The great obstacle was the entrenched camp of Bayonne, and this could not be taken until Soult's army had been driven away and the difficult river Adour crossed. The manner in which Lord Wellington effected the latter operation was by drawing away Soult and fighting him on the upper Adour, while Hope bridged the lower. The allies moved to their right; Soult to his left to oppose them; the battlefield was Orthes. The French position was fronted by the current of the Gave De Pau; it consisted of heights and broken ground, only to be traversed by narrow lanes in which the assailants would be at a terrible disadvantage. Wellington, in the first instance, attempted to turn the left, but when Beresford's troops were severely handled, and forced back in their attack by the lanes, he altered his plan; and by a skilful movement fell with the light division on the left of Beresford's opponents. Hill, who had crossed higher up, seeing that the French, instead of winning a victory, as at first seemed probable, were on the point of being driven from the field, endeavoured to cut off their retreat. But Soult saved his army by flight when he saw that a firm retreat was impossible. In the battle of Orthes the French lost 4000 men and six pieces of cannon. The English loss was little more than half that of the enemy. In this battle Lord Wellington was slightly wounded, being thrown from his horse by a ball which struck his sword guard. Mr. Gleig says—"He was on his feet again, however, in a moment, and in a condition to laugh at the Spanish general Alava, who had likewise been wounded almost at the same instant in that part of the body, any accident to which is apt to excite the mirth, rather than the sympathy, of lookers-on." A few days before the battle, he had visited, with his usual activity, the left of the army, which had secretly made every preparation to bridge the wide stream of the Adour, below Bayonne. The numerous fleet of boats, luggers, and other craft which had for some time been collecting, had been detained by contrary weather until all Soult's suspicions were drawn away from the lower to the upper river; they now came in sight, and about half out of sixty succeeded in crossing the bar. Previously to this, six hundred guardsmen crossed by rafts, and a flight of rockets, which had just been introduced, made the French battalions fly precipitately at the sight of

these novel missiles; other troops followed, and the arrival of the boats on the 24th made it possible to connect the British troops which had crossed with the main body. On the day of the battle of Orthes, a firm bridge, protected by a boom, enabled the rest of the forces to follow. General Thouvenot, who had commanded at Bayonne, could not spare a sufficient force to offer any serious opposition at five miles distance. His outposts were soon driven in, and an investment established. Meanwhile, Soult was still being driven back. The rains gave him a short respite; it was but short. The centre of the Allies pursued to Sever, and crossed the Adour. The left seized the great magazine of Mont de Marsan; the right forced Clausel across the river. Here the state of the country, the floods in the rivers, and the broken bridges, prevented the pursuit from being continued further for the time. But the delay was not long. The south of France already fermented with the Bourbon reaction, and Bourdeaux was the centre of Bourbonism. Turning the main body of his army upon Toulouse, Lord Wellington detached 12,000 men under Beresford to take possession of the southern capital. There Louis XVIII. was immediately proclaimed by the mayor, amid the greatest popular enthusiasm, and an important moral blow was struck by this event. Having done the cause of the Allies this peculiar service of raising up in his front an internal enemy to Napoleon in the flag of the old traditional monarchy, Lord Wellington recalled Beresford, ordering him to leave only a small detachment in the royalist town. Soult had in the meantime drawn to his left, and hoped to surprise some of the scattered divisions in that direction, but found his adversary too well prepared and active; the forces always drew to a focus before him. Believing, from the capture of Bordeaux, that the allies must have greatly increased in strength, he became uneasy about his communications, and retreated towards Toulouse. On the 18th of March Lord Wellington began his advance, and endeavoured to cut off Soult from that place. He had two sharp encounters on the road, in which the French were driven to retreat, but he did not succeed in his object of interposing on the Toulouse road. Great as was the perfection to which he had brought the marching powers of his army, he was necessarily encumbered by large trains of forage-mules, as he could not afford to raise the whole population of the country about his ears; and it was also necessary for the pontoon trains to keep up with the troops, as the bridges by which the enemy retreated across the numerous rivers of the south were always broken down before the pursuer. Consequently he came in sight of Toulouse three days after Soult, and found that the latter had made the most of the time thus allowed him. The town was strong in itself, being surrounded with ancient walls and towers, which were washed on one side by the river Garonne, and on the others encircled by the canal of Languedoc. Beyond this canal lay a range of heights called Mount Rave, which Soult strongly fortified. Every possible advantage was taken of the strong positions the place afforded to convert it into a fortified camp, bristling with artillery, and defended by an army of 39,000 men. The Allies exceeded this force in numbers by about 10,000; but, on the other hand, 15,000 of their infantry were Spaniards, most unequal to the French;

6000 were cavalry, and could take no part in the approaching battle, and the position they were about to assail would, in their hands, have been impregnable. Lord Wellington's first plan was to cross the Garonne above the town; but the rains and the melting of the snow on the mountains filled the marshes in that direction, and another attempt to cross but a little way above the town was defeated by the pontoons being too short. Soult of course provided against a second essay. It became necessary therefore to force the passage of the river below Toulouse, and then to attack Mount Rave. On the 4th of April (1814) Beresford crossed with two divisions, some cavalry and guns, but in the night such a flood occurred in the river that the pontoon bridge had to be removed and 12,000 men were thus isolated. Fortunately, Soult did not take the trouble to ascertain this; but Mr. Gleig mentions an expression of Lord Wellington's in after years, which shows the extraordinary confidence which he had in his troops as opposed to the French; when it was suggested how Soult might have fallen upon him at that moment, he replied: "I could have placed my back to the river and defied the whole French army." The flood soon subsided, and the communication by bridge was restored. Lord Wellington's plan was to make false attacks on the town, and while Beresford, by crossing the Ers lower down, turned the enemy's right flank, the Spaniards were to make the attack in front on Mount Rave, which was the key of the position. Ten thousand Spaniards rushed to the assault, but when they gained the shelter of the works they were sent to attack, nothing would induce them to leave it. General Harispe, seeing that they would not go forward, tried whether he could not make them go back, and the whole 10,000 ran down the hill at such a pace that Lord Wellington, who saw this human torrent come tearing past, said to an officer, with a laugh, "well, I never saw ten thousand men run a race before." The support of some British troops soon rallied the Spaniards, and the battle was restored; Beresford quickly came up on the flank, and advanced through a tremendous fire in which many a brave man was left behind. Soult ordered Taupin's division to charge; but those French soldiers, brave as they were, had tried the experiment too often; the result of those terrible bayonet fights was too invariable, and they had not a charge in them against such antagonists. The English came on and swept the division away in rout. Then the redoubts of Mount Rave were carried, and although the feinting attacks on other points were pushed into realities and failed with some loss, the day was in fact won by the possession of the heights which commanded the town. This battle was fought on the 10th; Soult apparently made dispositions to defend the town on the day following, but in the night he withdrew, feeling that nothing remained but to escape. Lord Wellington entered Toulouse amid great rejoicings of the inhabitants, who were favourable to the royal cause, and detested the exactions of Napoleon's generals. They were no doubt enjoying the reaction of feeling from the expectation of a siege, in which the French officers falsely asserted Lord Wellington would have burned the town over its inhabitants with rockets; but it showed how little the rumour was believed, when they bore the British general on their shoulders to the court-house crying, *Vive la*



*Roi ! Vive Wellington !* On that very day the envoy of the Provisional Government arrived from Paris, ordering Soult to put an end to the war, as Napoleon had abdicated. The marshal endeavoured to induce Lord Wellington to consent to an armistice, without binding himself to accept the Provisional Government. To this Lord Wellington wisely refused his consent, on the ground that such a force unattached to any side might form the nucleus of a civil war. Soult was obliged to consent to the British general's terms, and so ended the six years' campaign, beginning with Roliça, and ending with Toulouse. M. Brialmont writes thus :—"The campaign in France put the seal to Wellington's glory, and brought conspicuously into light not only his military talents, but his political sagacity. With 70,000 Anglo-Portuguese, he had done more in the south than the allied sovereigns were able to effect with half a million of troops upon the northern and eastern frontiers ; and yet Soult's army was stronger on the 18th of November 1813 than that with which Napoleon fought the battle of Brienne. This simple statement suffices to establish the immeasurable superiority of Wellington's combinations over theirs. But there was a point in which he still more excelled, namely, the moral influence which his generous conduct towards the French people secured for him. While the allies in the north and east oppressed the inhabitants, and left traces of their barbarous hatred even upon the public documents, the hero of the Peninsula set an example in the south of France of unfailing respect to individuals and their property. Never have troops shown greater kindness to their fellow-countrymen than the soldiers of Wellington exhibited towards a nation with which they were at war. This will always remain one of the loftiest titles to renown of the British army and its illustrious chief." It was during the few days which he spent in Paris, on the termination of the war, that Lord Wellington received the gratifying intelligence that he had been raised to the dignity of a dukedom, and that Parliament had voted the magnificent sum of half a million for the purchase of an estate. He was not yet able to return to England, for after parting from his army he was obliged to hasten into Spain, where the reactionary policy of the king seemed likely to precipitate a revolution. The Spanish armies, which had resolved to support the Cortes, were only withheld from an outbreak by the irresistible moral influence of their old commander. He despaired, however, of making any permanent reconciliation, as he found the king, like the French Bourbons, doing his utmost to destroy the good feeling that had attended the restoration of ancient royalty. The Duke was at last permitted by public duty to return to England, and after an absence of five years, he landed amid a scene of intense enthusiasm, of which Englishmen when stirred to the heart are so capable. At Dover he could scarcely escape from the people. At Westminster, the roars of the mighty multitude of London made the air quiver ; the Duke's carriage was dragged by the people to Hamilton house, where the Duchess was staying ; he was lifted from the carriage ; the people could scarcely bear to lose sight of him, or the door through which the saviour of Europe had passed to close behind him. No work was done in London that day : the artisan laid down his tools to give vent to his British enthusiasm and pride ; nor only in London, but the whole nation was overcome by the same sentiment.

Wherever the Duke travelled he was received as more than an angel. He was the impersonation of that long roll of glorious victories which forms far the brightest chapter in the long reach of England's history. The gratification to the national pride of the preceding years seemed to have been treasured up so long to greet the new Duke with such a welcome as never British subject received from his countrymen. In Parliament, the various titles bestowed on him in his ascent of fame were all formally conferred in one day; and the modest and becoming dignity of the recipient showed the man—

“ Who, if he rise to station of command,  
Rises by open means, and there will stand  
On honourable terms, or else retire,  
And in himself possess his own desire :  
Who comprehends his trust, and in the same  
Keeps faithful with a singleness of aim ;  
And therefore does not stoop nor lying wait  
For wealth or honours or for worldly state ;  
Whom they must follow, on whose head must fall  
Like showers of manna, if they come at all ;  
Whose powers shed round him in the common strife,  
Or mild concerns of ordinary life,  
A constant influence, a peculiar grace ;  
But who, if he be called upon to face  
Some awful moment to which heaven has joined  
Great issues good or bad for human kind,  
Is happy as a lover, and attired  
With sudden brightness, like a man inspired  
And through the heat of conflict keeps the law,  
In calmness made and sees what he foresaw ;  
Or, if an unexpected call succeed,  
Come when it will, is equal to the need.”\*

The thanks of the Commons were delivered to him by the Speaker in a most eloquent speech, while the whole house stood uncovered. A short time after the Duke was sent as ambassador to the court of the Tuileries, and in Paris the months went by in the transaction of the most important business connected with the resettlement of affairs; but he saw with concern the growing unpopularity of the royal family, and the impossibility of the French accepting the tedium of peaceful life, and returning to the accumulation of national wealth by manufactures and industry, rather than by the plunder of other countries and contributions wrung from nations ruined in war. The vampire of the Continent longed for blood, and could not be reconciled to more harmless food than the lives and resources of other peoples. Meanwhile, having been joined by the Duchess, he dispensed hospitality to all the great ones of the world who were brought together in Paris; but in January 1815 he was called upon to take Lord Castlereagh's place at the congress of Vienna, and firmly resisted the demands of Russia and Prussia to be put in possession, the one of Poland, the other of Saxony. France, England, and Austria combined in a secret treaty to resist these arrogant plunderers; the Russian armies were halted in Poland, and a new war seemed to be on the point of breaking out, when an event occurred which obliged the allies to lay aside

all quarrels among themselves, and band together once more against the common foe. Napoleon was loose! He had left Elba, and landed at Frijus, and the French army deserted *en masse* to its old leader. The Bourbons were swept away without an effort; and again the great war-spirit of Europe wielded the whole power and resources of France. France, it is true, was exhausted and unarmed; her effective army fell far short of 200,000 men; under her late rulers she had been preparing for a long prospective peace, and her arsenals were empty. The other great powers were still possessed of those overgrown armies which the wars and usurpations of Napoleon first raised up, and which have ever since oppressed the bosom of Europe. The struggle about to be recommenced was therefore a most unequal and likely to be a short one; but none could have imagined that the Emperor would be able in three months to make such a mighty preparation as he effected in that period. Before the end of May he had an army of 400,000 men, a large proportion of whom were veterans released from the military prisons of Europe on the conclusion of the war. The Duke of Wellington was at once called to the command of the forces in the Netherlands, consisting of 10,000 or 12,000 English troops of Graham's command, together with the armies of Holland and Belgium. England was only able to raise her contingent to 30,000, owing to the army having been dispersed to distant parts of her empire, and she was obliged to take into her pay Dutch, Belgians, and Germans. This was very unsatisfactory to the Duke, who had to bear the first brunt of the war; but he endeavoured to wear a bold front in order to retain the support of the Prussians, whose commander was disposed to fall back; and his appearance of confidence had the desired effect. Marshal Blücher took the command of the Prussian army of the Rhine, and, acting on Wellington's suggestion, it was held in hand for a great stand before Brussels. The expectation that whilst the vast concentric wave of invasion was rolling from the far horizon of Europe upon France, Napoleon would fall with all his weight on the nearest and most dangerous foe, instead of lying back in an attitude of defence behind the French frontiers, was soon discovered to be well founded. The flower of his army was laid in wait behind the frontier fortresses, ready to be launched forth when all was prepared, and it only remained doubtful by what line the attack would be made. Wellington was convinced it would not be made by the valley of the Sambre, with the object of cutting in between the Prussians and English, and the fact that a principal artery of communication in this direction had been made impassable by the French seemed to give good ground for the conviction; yet this was the line actually adopted. Perhaps, as the most obvious, the Duke thought it was the least likely to be chosen by his ingenious and original antagonist; he has been blamed for not having divined the direction in which the storm would burst; but the fact was, that although his instinct told him it would be otherwise, he had made every arrangement with the Prussian general for an attempt to break in between them. It was necessary, indeed, to allow the French plans to develop themselves, and the army was kept in such a position as to be ready for any event. The Anglo-Belgian army lay before Brussels, which city was crowded with visitors, and in the most festive state. The Duke of Wellington joined in all the balls

and dinner parties as if he were perfectly free from care. Mr Gleig notes this peculiarity:—

“It formed one of the marked peculiarities of his character, that no amount of business, be it ever so grave in itself, or important in its consequences, appeared to engross him. He neglected nothing which required attention; yet he had always time at his command. Rising early, he often completed his correspondence before the generality of busy men began theirs. No amount of bodily fatigue seemed to tell upon him, and sleep literally came to refresh him at his bidding. The consequence was that, while the great machine of state was kept in sound working order, not one of the lesser wheels stood still, the movements of which hinder society from becoming stagnant. But events were hastening rapidly to a crisis.”

Meanwhile Wellington was fully prepared, and had arranged that, in case of attack, the Prussians should move to their right, the English to their left, to form a junction. In their detached positions they covered all the points on which an enemy might direct his efforts. Were the Prussians attacked, the English were to move by Quatre Bras to their assistance; were the English, the Prussians were to come to their support on the field of Waterloo. On the 15th of June there were alarms and attacks on outposts, but still the Duke waited for the development of the French attack. On that day he learned that the Prussians were engaged at Charleroi; but he kept the intelligence to himself, and attended the Duchess of Richmond's great ball that night. He sent his orders to the army to move, as arranged, to the left on Quatre Bras. At midnight the Duke left Brussels with the reserve. His wonderful nerve had completely concealed, as he chatted and danced, that a ball of a more terrible description was occupying his private thoughts. Napoleon himself was in front with that cloud of war, from which it was doubtful in what direction the lightning of battle would flash. His combinations were made with clock-work regularity and precision, up to a certain point; but his intention that Quatre Bras should be occupied by noon on the 15th was defeated by the unaccountable delay of Vandamme and Gerard. Blücher managed to concentrate most of his forces at Ligny, and Wellington rode over to confer with him. The two chiefs met at the windmill of Bry, and exchanged promises of mutual support. He saw the defects of the position, and fully expected that the Prussians would receive a severe beating. A corps of his own army, under the Prince of Orange, was posted at Quatre Bras, when Ney arrived with a greatly superior force to seize that vital point of communication. The Prince held out until the arrival of reinforcements. Ney's supports did not arrive. The Anglo-Netherlandish troops were cheered by the presence of their Commander-in-Chief, and, as the day advanced, became the assailants, and when the evening closed in, were far in advance of the line from which the first brunt of battle had driven them back. During the day the thunders of Ligny were heard growling over the horizon to the left. Between the two battle-fields, by some unaccountable blundering of field-officers, D'Erlon's command, comprising about 30,000, which might have decided either field, was kept “oscillating.” The result of the day at Ligny was that the Prussian centre was driven in, and Blücher's army cut in two. Nothing



but the fall of night saved him from destruction and enabled him to retreat. His loss was 15,000 men and 15 guns. It was a decided defeat; but it came too late in the day to end in a rout.

Wellington meanwhile had received assurances from Blücher that if he retreated, as pre-arranged, in case of reverse, on Mont St Jean, he should not be left without assistance. His own position was most critical, and on the 17th he had 50,000 men at Quatre Bras to stand against the victorious French army. On his left the beaten Prussians had disappeared he knew not whither. It was an equally difficult matter to leave his ground, and to hold it if Napoleon had attacked with his immense superiority of forces. But the Emperor wasted the greater part of the 17th, and it was far on in the afternoon before Ney was ordered to attack. Grouchy, with 37,000, had previously been sent to observe the Prussians: Before Marshal Ney got his troops into motion the English army was on the move for Waterloo. It reached that famous field without obstruction: most of the troops had not fired a shot; but behind them, as they fell back, the fire of the horse-artillery had brought down deluges of rain, which delayed the French in following up. The morning dawned which was to decide between the two as yet unmatched rivals—the one the greatest conquerer, the other the greatest general, of modern times. Wellington had formerly denied himself the glory to be derived from this encounter, when he considered that in more obscure battle he was doing greater service to the general cause; but fortune had now raised up the fallen giant again, as if to decide a doubt which would ever have remained amongst historians, which was the greater commander of the two.

If we consider, on the one hand, the desperate circumstances under which Napoleon fought, certain to be overwhelmed by Blücher's army, if he did not succeed in a few hours in defeating Wellington's; and, on the other hand, the great inferiority in numbers and composition of the Anglo-Netherlandish army, it will appear that the match was not an unequal one. Napoleon was playing a desperate game, and his antagonist's was little less desperate. On the French side, the guns were double the British, taking into account number and calibre. Their cavalry exceeded ours by 15 to 12, and in experience, as well as in numbers, their infantry were apparently an enormous overmatch. Their General was one who had never been conquered except by overwhelming odds, and his troops were fresh from a victory. Wellington had only 33,000 dependable troops, the rest being little more than *supers* in the military drama. Probably not more than we have named fired a shot during that day, although the whole French army was fully employed. It must be added that Wellington had deprived himself of some of his troops in conformity with the opinion which he entertained to the last, that an attempt would be made to turn his right.

The obvious policy of the French has been said by military critics to have been to fall on the left and cut it off from the Prussians; but to the unlearned in the military art it would certainly seem otherwise. Wavre was but twelve miles off, and Napoleon had no reason to think that the Prussians were so broken at Ligny that they would not come up even earlier than they did, and so his army would be ground between two mill-stones. True, he is said to have been surprised at

their appearance; but it is scarcely likely that he expected Grouchy with 35,000 to keep the brave old Marshal, with nearly 100,000 Prussians, from making an appearance with some portion of his troops on such a field. If indeed he believed that Grouchy could seize those positions which the intervening ground afforded, where a few might block the way against many, or if he thought the cavalry which he sent out with this purpose would effectually hold back the Prussians, then there was scarcely an object in separating armies which for the purpose of the day were already separated; but he was rather bound to take the speediest way of inflicting a defeat upon the British. No doubt, leaving the Prussians out of consideration, the right of our army was the proper place to plant his blow.

In order to let the ground dry and harden after the heavy rains of the night, Napoleon deferred the commencement of the battle until eleven o'clock. It began with an attack upon the chateau of Hougomont, at the extreme right; the woods about it were soon wrenched from the German troops that held them, but the guards held the building even when it was in flames over their heads. The desperate attack having failed, there was a great artillery battle all along the line, till the heights on each side became so enveloped in rolling smoke that it resembled an encounter of two immense thunder clouds. From the French side, a great cavalry demonstration was presently made, and the British centre formed squares, upon which the artillery told with severe effect. The Duke of Wellington had then recourse to his old plan of removing his troops behind the heights on the front of which they had previously been standing, leaving the artillery, as before, on the exposed face. It so happened that there ran behind the British line a road with high banks, which formed a natural field work to cover the troops thus concealed. The movement of the British army led Napoleon into error; he supposed it to be a retreat, and ordered D'Erlon to attack the left, striking with his full force. His first object had been to win the battle on the right; supposing the battle won, he proceeded to carry out as his second object what his critics contend should have been his first. The Belgians were behind the hedged-in road on the left; they gave way easily, and D'Erlon's columns pressed on. But Sir Thomas Picton, who commanded on the left, was ready with the brigades of Kempt and Pack, which advanced into the gap: at forty yards they delivered their fire, and without waiting for the smoke to rise from the deadly volley, the General gave the word "charge!" and almost at the same instant was shot dead. The Duke himself had just ridden to this part of the field, and ordered that famous charge of the Scotch Greys, Inniskilling, and Royal Dragoons, which, falling on the flank of the French columns in the confusion of Sir Thomas Picton's volley, completely broke them and resulted in the capture of 2000 prisoners and a tremendous loss in killed and wounded. Unfortunately, by pushing their advantage too far, and endeavouring to dismount the French artillery, the cavalry suffered in turn, and were obliged to retire after a severe conflict with cuirassiers, lancers, and infantry. Meanwhile, a stout assault was made upon the left, inclining to the centre; but this gave rise to another great cavalry achievement; for the infantry having driven back the French, were assailed in turn by a flood of cavalry and obliged to

form square. Round these the French foamed and shouted like waves dashing about rocks. The Duke ordered up the heavy cavalry; and these,—Life Guards, Blues, and 1st Dragoon Guards,—came on with a weight of horse and man and muscle before which the cavalry of France was overwhelmed with immense loss. Napoleon now renewed his attack upon Hougomont, but it had been rendered secure by strong reinforcements, and the attack was well repulsed. It was at this time that the building was set on fire, by which many of the wounded guardsmen perished. Every effort having now failed on right and left, the Emperor became impatient and uneasy, and resolved to try the centre. By a skilful movement from D'Erlon's side, the farm of La Haye Sainte, in front of the British centre, was cut off and taken, and a foothold was thus gained for a closer attack and a covered place for cavalry to lie in wait. With a tremendous fire of artillery from the heights of La Belle Alliance, Marshal Ney made repeated attacks on the British and German troops that here held the position, but with no effect. When the French infantry failed, the cavalry rode round the squares for three quarters of an hour unable to produce the slightest impression upon them, and wasting their strength; at last the Duke brought back his cavalry from the flanks and drove away the trampling enemy, who, for all this while, had kept the gunners imprisoned in the squares and the guns silent.

The summer evening was now falling, and the British infantry, of which the Duke said that he had "never seen it behave so well," and which drew an irritated encomium from Napoleon, was reduced by one third of its numbers, where they stood on the heights of Mont St Jean; there was no point of attack that had not been animated by the Duke's own presence; it was past five o'clock, and there was little doubt that help was at hand. At two o'clock it was expected; at four an officer of the staff had met Blücher drawing near; at five the Prussians began to be felt, although not causing any great inconvenience, being in small force; but Napoleon was decided to make a last great effort, on which he knew depended victory or utter defeat. It was to throw the whole reserve, consisting of his guards, on the British centre. Not before seven o'clock was this attack ready to be launched. Wellington meanwhile had drawn in his right, feeling that all was now secure in that direction, and the point on which Napoleon was about to stake his fate was the strongest in the whole line.

He bade the guards lie down behind the hill, where they listened to the artillery firing on their advancing enemies. At last the Duke gave the famous order, "Up guards and at them," they reached the summit of their position in critical time; fifty paces down the slope they beheld the grenadiers of the Imperial Guard advancing. A moment's pause; the shout of "*vive l'Empereur*;" a deafening volley; the French attempt to deploy, but now the British guards charge upon French guards, and drive their immense unwieldy mass down the hill in wild confusion. So as to avoid being taken in flank by the other column that was advancing, Maitland, after defeating the first, drew back to the crest of the hill, Lord Hill's infantry took the second attack as the guards had taken the first. The result was still more decisive; the Duke had ordered a portion of the troops to pivot from the right on the left of the attacking

column; falling between two fires of infantry besides artillery, the second column of the French guards in a minute strewed the ground with hundreds of men, and then broke and fled. The troops facing and flanking them, and Maitland's guards pursued, and the cavalry under Lord Uxbridge soon overtook and rode through them, making a great slaughter. The Duke of Wellington now ordered a general advance; the troops, rejoicing to be let loose, advanced at the double. In vain four battalions of the old guard attempted to check the advance; all fled before the infantry charge; a vast crowd of fugitives, including Napoleon and his marshals, fled towards Genappe, and 150 pieces of cannon were taken on the field. The Duke, at dark, halted his troops after a pursuit of two miles, and drew back to Waterloo, leaving the task of following up the victory to the Prussians, who had flowed in when the French flight began, and the dam was removed which had been opposed to them on the right. Wellington and Blücher met as the former returned to the field. He lay down to rest just as he was, blackened with the smoke of battle. To Wellington's honour it is recorded, that "Dr Hume, the principal medical officer at headquarters, entered the Duke's chamber on the morning of the 19th of June to make his report of the killed and wounded. He found the Duke asleep unshaved and unwashed, as he had lain down late over night. The duty being urgent, Hume awoke his chief, and the Duke, sitting up in his bed, desired him, without asking any questions, to read. It was a long list, and took a good while to go through; but after he had read for about an hour, the doctor looked up. He saw Wellington with hands convulsively clasped together, and the tears making long furrows on his battle soiled cheeks. At first the Duke did not seem to notice that Hume had ceased to speak, but in about a minute he cried, 'Go on,' and till the reading was closed, he never once moved from his attitude of profound grief." We may quote Mr Gleig's testimony of the Duke's personal bravery, which, from the sobriety and general prudence of his character, has been questioned by detractors—"On no previous occasion had the Duke of Wellington exhibited greater quiet courage, or been more exposed to personal danger than during the progress of the battle of Waterloo. He personally directed every movement; he superintended almost every change of disposition from morning till night. Wherever his troops were most pressed, there he was sure to be found. Almost all his attendants were killed or wounded at his side; indeed, at one moment, he was left so completely alone that he was obliged to employ a Sardinian officer, a volunteer in the field, M. de Salis, to carry an important order. He led the final charge, riding in front of the line, and when the enemy gave way, and the growing darkness required it, he mixed with the foremost of the skirmishers in order to keep the fugitives steadily in view. So apparently reckless, indeed, had he become, that one of his staff remonstrated with him and said, 'We are getting into enclosed ground. You have no business here. Your life is too valuable to be thrown away.' 'Never mind,' was the Duke's reply, 'let them fire away. The battle is won; my life is of no consequence now.' Thus indifferent to the thousand risks which surrounded him, he pushed on, and drew bridle only when he and Blücher met at the *Maison du Roi*."



After the restoration of the Bourbons, the Duke again took up his abode in the French capital during the allied occupation; and although it was through his influence that France was not dismembered, and he averted the indignities to which Prince Blücher would have subjected Paris, he became extremely unpopular with all classes of Frenchmen. He was blamed for not preventing the stripping of the Louvre of the accumulated plunder of works of art, and of not interfering to save Marshal Ney. In the latter case he did all that he could; but he had no power to prevent his execution, although he greatly deplored it. Two attempts were made upon his life: once it was attempted to burn and blow up his house in the Champs Elysées; on the other occasion he was fired at by a man named Cantillon, who, although plainly identified, obtained an acquittal, and was afterwards made head gamekeeper at Fontainebleau by Louis Philippe. It was noted at the time that, although all the Royal family joined in disliking him, this Prince was the only one who did not call to congratulate the Duke on his escape. The first Napoleon left Cantillon 11,000 francs in his will; and this bequest was paid with interest to the intended assassin's representatives by Napoleon III.

Our memoir now enters upon an entirely new phase of the Duke's life. With the withdrawal of the army of occupation from France, his military career, at least as a commander in the field, finally closed. The civil and political career of Wellington divides itself into two portions, in one of which he was engaged in the general settlement of the affairs of Europe, and in the other was called upon to take a more direct part in the particular administration of his own country. Many different opinions have been expressed as to the Duke's claim to the title of "statesman." "Military experience," says an impartial writer, "does not furnish the fittest schools of statesmanship, especially when the country to be governed is that of a free, intelligent, and progressive people. But if the political principles of the Duke of Wellington were not always reconcilable with the opinions and demands of modern advancement, they were at least consistent in themselves, were never extravagantly pressed, never tyrannically promoted, and never insisted on to the hindrance of the Government, or the damage of the State. In estimating Wellington's politics, it must never be forgotten that he was a politician of 1807, and that he descended to us as the last representative of a school that has passed. If he was less liberal-minded than the statesmen of his later years, we may fairly inquire how many of his own generation would have been as liberal as he." On this subject another writer remarks, "To the science of government his Grace, as we have already seen, was no stranger. His able administration of the Mysore territory, his subsequent experience of home affairs as chief secretary for Ireland, and his clear-sighted and energetic views of national policy in the civil transactions of Spain and Portugal, had denoted him a man no less fitted to play an important part in government in times of peace, than his uninterrupted success in arms had proved his military genius. His conduct of the interest of Great Britain in the Congresses of the sovereigns, had now placed him on an equality with the most celebrated statesmen of Europe in respect of the grand principles which regulate the comity of nations." It certainly

would not appear extravagant to say that in those great European negotiations the Duke invariably showed that practical foresight which distinguished his character in the operations of war. He was confirmed in his early Toryism by a career spent in curbing, controlling, and conquering. Few had such an experience of war, and most of the wars he had seen might be traceable, in his opinion, to the operation of democratic principles. At the same time, he had seen and fought with tyranny and oppression and every kind of injustice too indignantly and too long not to have his mind opened to justice and right at home. His experience of constitutions, as devised by popular agitators, was not favourable. His principles inclined to legitimate monarchy, and to "strong governments," but none knew better than he that order could only be permanently obtained by consulting the wishes of the people, as well as the fancies of the sovereign, and his voice was given on the side of freedom, though not, perhaps, absolutely for freedom's sake.

After the battle of Waterloo the condition of Europe which ensued in the thirty years' peace was very peculiar. Although by the issue of that great and protracted struggle, "legitimists" had triumphed over "revolutionists," and "the men of resistance" over "the men of progress," yet scarcely was the peace concluded when the clamour of the people arose, and political agitation commenced with such violence, advantages, popularity, and success, as it never had obtained before. It is the province of the historian to investigate and explain the causes of this extraordinary condition of affairs; it only concerns us to note that those public discontents which on the Continent had taken the form of military insurrection, in England assumed the shape of political agitation. The state of affairs in England at the time when the Duke was called upon to take a more direct and visible part in the administration of his own country, and the circumstances under which he entered upon that duty, are thus well described:—"The old Tory Cabinet of the war had subsisted for ten years under the presidency of Lord Liverpool, without material modification in its constitution or policy. Mr Canning, it is true, had been for some time at the head of the Board of Control, but it was not until his accession to the Foreign Office, in 1822, that his influence was substantively felt in the measures of the Government. But now the elements of a mighty change began effectively to work. The days of unmitigated Toryism were drawing to a close, and the precursors of reform appeared on the scene. The principles of general liberalism in the person of Canning, and of free trade in that of Huskisson, were to be gradually introduced into the stubborn cabinet of the Regency, and old men were at length to give place to new. Of the four ancient notabilities, Lord Londonderry was already gone, Lord Sidmouth had just retired, Lord Eldon was declining, and the end of Lord Liverpool was at hand. It was a period of transition, and like all such periods, was rife with angry suspicions, with incessant jars between the men of resistance and the men of progress, with mistakes, recriminations, compromises, and confessions."

Over and above the innumerable points of general policy to be considered, there were two great questions awaiting a decision: those of Parliamentary Reform and Catholic emancipation. The former of these, though originally entertained by a Tory minister, had become

politically identified with the pledges of the Whigs, and was adopted rather than promoted by the "Radicals" of the time as the chief object of their agitation. The latter was essentially a party question, for it concerned rather the practical government of Ireland than a recognition of a theoretical principle, and statesmen and cabinets had been divided on its merits ever since the opening of the war. The measure, however, had been seized by the Whigs as their own; it had been defeated by the Tories, and its destinies were generally connected with the prospects of Whig ascendancy. This party had now for a very long interval been excluded from power. Their adversaries had monopolised the credit of the war, and the support of the electoral constituencies, and it almost seemed as if they were irremoveably established in their seats of office.

During all this time the condition of the country had been disturbed and feverish in the extreme. As has been already remarked, those public discontents which, on the Continent, had taken the form of military insurrection, in England assumed the shape of political agitation. "George IV., who, in 1820, had exchanged the title of Regent for that of King, was not in favour with the people. He had so long anticipated the position of royalty, that his actual accession to the throne brought with it none of those indefinite expectations which usually make a new reign popular. Though personally connected with the Whig party in times past, he had promptly confirmed the ascendancy of the Tories on coming to the crown; and the known selfishness of his disposition appeared only to be aggravated by power, while his more attractive qualities had gradually given place to the morosity of old age. His personal character, indeed, figured largely in the complaints of the people, who described their sovereign as absorbed in the luxurious enjoyments of a misanthropic seclusion, while his subjects were suffering the extremities of pressure and want. There was reason for these murmurs. Though the state of the country imperatively needed reform, the great policy of the ministry was repression alone. While new ideas were fermenting among the people with the diffusion of political knowledge, and the growing conviction of misgovernment, the cabinet policy was that of twenty years before, with its rigorous maxims of resistance and severity.

"The consequences were nothing but natural. The people were seduced by demagogues into wicked excesses and extravagant demands. They held nightly gatherings in the large towns and manufacturing shires, hatched chimerical plots of marching on the metropolis, talked plain treason at public assemblies, and proposed the forcible overthrow of the Government. A conspiracy (well known as the Cato Street conspiracy) aiming at the assassination of the ministry in a body, was actually formed, and was not defeated by any want of resolution or earnestness on the part of the conspirators. On the other hand, the Government was confirmed by those very excesses both in its own repressive policy, and in the support of the well-affected part of the population. They spared, therefore, neither the law nor the sword; they sent artillery into one county, and special commissions into another; they charged public meetings with cavalry, and strung up rioters and sheep-stealers on the same gallows. Their names were

saluted with execration, their persons made the objects of incessant hostility, but they paid spies to worm out the secrets of the seditious, and pursued their unswerving course in reliance on principles which had carried England, as they imagined, through worse storms than these."

In the unpopularity of the Administration the great Duke participated. Though it was impossible to overlook his transcendent claims to respect, and though he had not as yet taken any very active part in domestic politics, yet he was known to be of the Tory school, and connected indeed by ties of the closest sympathy with the hated Castle-reagh. Even his military eminence was no recommendation in the eyes of those who denounced soldiers as the instruments of tyranny, and who had scarcely been brought, even by a splendid succession of victories, to approve of an anti-democratic war. The indications, too, which he had given of his sentiments were not of a tendency to conciliate a suspicious public. As Master of the Ordnance, he had taken a seat in the Cabinet, had concurred in the prosecution of the Queen, and had spoken in terms of soldierlike bluntness about certain proceedings of the opposition. He was now, however, to do more. He was to become an influential member of the administration, and to bear his part, for good or evil, in the important changes which were to convert the British Government from what it was under George IV. to what it is under Queen Victoria.

For two or three years affairs proceeded without the occurrence of anything remarkable. At length, in February 1827, Lord Liverpool's faculties failed him. Mr Huskisson's Corn Bill and the Roman Catholic question were then under the consideration of Parliament; and when it became necessary for Lord Liverpool to resign, Mr Canning was sent for. A ministry formed under his redoubted leadership meant the introduction of Catholic emancipation as a Cabinet measure. The Duke, not being prepared as yet to stand godfather to such a measure, although he must have seen it was an ultimate necessity, resigned with the larger section of his colleagues. At the same time he retired from his other offices of Master-General of the Ordnance and Commander-in-Chief. To this high post he had succeeded on the Duke of York's demise. In 1828 he carried a motion in the House of Lords against Mr Huskisson's Corn Bill; but as he had been a member of the Government by which the measure was prepared, this opposition was considered scarcely justifiable. It occasioned an extraordinary agitation in the public mind, and the Duke and his colleagues were accused of a factious combination against the success of the new administration; it was even alleged that he desired the premiership for himself, and had opposed this measure to embarrass the Government. As this conduct of the Duke has been much canvassed by historical writers, and regarded as a flaw in his political reputation, we must briefly state what may be alleged in his defence. Lord Liverpool had heaped honours upon him in 1827. Besides the dignities we have mentioned, he had been appointed Colonel of the Grenadier Guards, and High Constable of Dover Castle, retaining his seat in the Cabinet. Thus, gratitude as well as party loyalty to his chief prevented him from separating from Lord Liverpool when he promised a sliding scale. His not resigning affords



no great presumption under the circumstances that he approved of the measure. In the give and take of practical politics he was bound to assent even if it had been directly proposed by his chief, but it was far otherwise when the ties of loyalty were dissolved, and a measure to which he was probably always opposed in conviction, came before him simply on its own merits. The Duke when asked by Canning to join his Cabinet, which he promised should adhere to Lord Liverpool's policy, had bluntly replied that he was afraid it would not; and, at all events, that the policy of Lord Liverpool's Cabinet had already been taking a turn of which he felt an increasing disapprobation. Mr Canning had represented the tendency in the late Cabinet which had been the subject of his disapproval, and this very tendency rapidly developed as he had expected it would. He answered the insinuation that he had thrown up his office of Commander-in-Chief, out of pique at not being called to be Prime Minister by the following declaration:—"Knowing my capacity for filling that office, and my incapacity for filling the post of First Minister, I should have been mad, and worse than mad, if I had ever entertained the insane prospect which certain individuals for their own base purposes have imputed to me." It is certain that the retirement of the Duke caused the breaking up of the Tory party, and the victory of new ideas, and the formation of new combinations. It was in the bitterness and confusion which resulted that Mr Canning died.

A new administration was now formed, under Lord Goderich, who (as Mr Robinson) had succeeded to the Chancellorship of the Exchequer, at the time Mr Canning became Foreign Secretary. The Duke of Wellington now resumed his post as Commander-in-Chief, but without accepting any ministerial office.

The new Cabinet was of short duration, and Lord Goderich resigned office on 8th January 1828. In this difficulty the King sent for the Duke of Wellington, who became Prime Minister of England within eight months after his own declaration that the office was wholly beside his powers. His Grace took the office of First Lord of the Treasury, resigning the command of the army to Lord Hill; Mr Peel returned to the Home Office; Mr Goulburn was named Chancellor of the Exchequer; Mr Huskisson and Mr Herries, whose dissensions had been fatal to Lord Goderich's government, were continued in their places—the former as Colonial Secretary and the latter as Master of the Mint.

In 1828 Lord John Russell, having carried in the House of Commons the repeal of the Test and Corporation Acts, by which dissenters were excluded from municipal office under the Crown, the Duke, in the House of Lords, expressed his approval of the principle involved, and notwithstanding the vigorous resistance of Lord Eldon, the bill was carried, and a great step was thus taken towards civil and religious equality.

Of course with this concession there arose a more violent agitation on the part of the Roman Catholics to be dealt with in the same manner, and to have their equally just claims conceded. The Clare election brought matters to a crisis. The Protestants of Ireland saw with alarm the enormous confederacy of an oppressed people, which rising up for the recovery of the simple rights of freemen, might, if they were denied them, turn upon those who were apparently to blame—their Protestant

fellow-countrymen. They formed Orange Societies and Brunswick Clubs for defence and aggression, and if the country was not in a state of civil war, it was only because its passions were held down by soldiery. A resolution, favourable to the claims of the Roman Catholics having passed the House of Commons, was brought before the House of Lords, and the Duke made a remarkable speech on the question. He put it solely on the ground of expediency, and the acquisition of clear and distinct securities; he said that he should be glad to see the disabilities of the Roman Catholics removed; but before he could consent to their removal, he must see something in their stead, which would effectually protect our institutions. He grounded his opposition, not on any peculiar doctrinal points of the Roman Catholic faith, but because of the nature of Roman Catholic Church Government. "What we do must be done by legislation; and although legislation has not effected this hitherto, I trust if it shall be deemed necessary, we shall do it fearlessly." "If the public mind was now suffered to be tranquil—if the agitators of Ireland would only leave the public mind at rest—the people would become satisfied, and I certainly think it would then be possible to do something."

The emergency became too pressing before the end of the year to admit of further hesitation. It is easy to say now that there was no real danger of civil war, and that if even had there arisen disturbances, nothing was easier for the Government than to crush them, and in doing so gain a new argument for resistance. But the Duke and Mr Peel were no bad judges, and they both came to the secret determination that a full and ample concession was the only way to avoid national disasters. It was not that they feared the success of civil war; they feared civil war for the wretched people who would be vanquished, more than for the loss and inconvenience to the victors. The King was the one great obstacle remaining, and such trusted counsellors only could have overcome his objections. On the 5th of February 1829 the astounding announcement was made in the speech from the throne, that Parliament "should take into their deliberate consideration the whole condition of Ireland, and should review the laws which impose civil disabilities on His Majesty's Roman Catholic subjects." The Duke and Peel pursued the course on which they had entered, with the firmness of the one and the statesmanship of the other. The Duke thus stated the conviction which had induced him to support the measure:—"I am one of those," said his Grace, "who have been engaged in war more than most men, and, unfortunately, principally in civil war; and I must say this, that, at any sacrifice, I would avoid every approach to civil war. I would do all I could (even sacrifice my life) to prevent such a catastrophe." There was no rebutting such arguments, although the opposition was most determined; the Duke carried his point, and in little more than a month the Relief Bill passed both Houses by large majorities, received the Royal assent, and became the law of the land.

What the Premier had now accomplished could not have been effected by any other statesman in the land. It must not, however, be supposed that this successful result so speedily and so unexpectedly achieved was without prejudice to the Duke's public character. He was denounced by Protestant societies as a traitor, the King himself was

angered, men of the old Tory school withdrew in disgust, the ministry was modified, and there was a rumour of strengthening the Wellington Cabinet by the admission of Earl Grey. There is one episode connected with this portion of the Duke's life too remarkable to be omitted. The Duke had been chosen patron of the new Collegiate Institution in the Strand, which under the name of King's College was destined to compete with the rival seminary in Gower Street. On the disclosure of the ministerial policy, Lord Winchilsea, writing to a gentleman connected with the new establishment, spoke of the Duke and his patronship in these terms:—"Late political events have convinced me that the whole transaction was intended as a blind to the Protestant and High Church party, that the noble Duke, who had for some time previous to that period determined on breaking in upon the constitution of 1688, might the more effectually, under the cloak of some outward show of zeal for the Protestant religion, carry on his insidious designs for the infringement of our liberties, and the introduction of Popery into every department of the State." These expressions coming from such a quarter, appeared to the Duke to call for personal notice, and after a vain attempt at explanations, the Duke attended by Sir Henry Hardinge, and the Earl of Winchilsea attended by Lord Falmouth, met in Battersea Fields on the 21st of March to fight with pistols on a question relating to religion. The meeting, however, was unattended by any fatal results; Lord Winchilsea, after receiving the Duke's shot, fired in the air, and then tendered an apology which was accepted, and so ended this extraordinary encounter.

Before passing from the subject of Catholic emancipation, it should be mentioned that this great question had been brought before Parliament between the years 1805 and 1812 by the Granville party, and the several motions then brought forward were defeated by majorities varying from 100 to 150 in the Commons, or still more decisive majorities in the Lords. In the year 1812 too, Mr Canning's proposals in favour of Roman Catholics were lost by 129; but this majority had fallen below 50 in 1813. In 1821 the change still more significantly appeared. Mr Plunkett actually carried a measure of concession through the Commons by a majority of 19, and Mr Canning was equally successful in 1822, as was Sir F. Burdett in 1825; but the bills were, of course, lost in the Lords, though by smaller majorities than before.

In this year (1827) the Duke received the appointments of Lord Warden of the Cinque Ports, and Constable of Dover Castle, and assisted in organising Mr Peel's new police.

Of the three great questions which the times were maturing for solution, the Duke in his ministerial capacity had now practically disposed of two. In the matter of Free Trade, he had given as much as he was asked for, and in that of Religious Freedom, he had even outstripped the desires of the public. But the third question, that of Parliamentary Reform, still remained for consideration, and it was upon this rock that his hitherto infallible sagacity was at length to make shipwreck.

A proposition for transferring the franchise from East Retford to Birmingham was resisted by the Government, who, aided by their former friends, defeated the motion. "The victory in this moderate

proposal had, in the end, the worst consequences of defeat ; it was the immediate cause of that great revolution—the Reform Act—which placed the empire in the hands of the Whigs, and excluded the Duke's party from power for many years. Propositions for parliamentary reform, for removing the civil disabilities of the Jews, and other liberal measures, were brought forward by independent members of the Whig party, and rejected by the ministers.\*

In the summer of 1830 Europe once more experienced the shock of a French Revolution which convulsed many of the European states, and transmitted its force across the British Channel. The popular party in Great Britain began to be affected by the spirit of the change. George the Fourth had expired just at this period, and was succeeded by the Duke of Clarence (8th June 1830). The death of the King was a fatal blow to the Duke's Government. With him had gone all that the Tories relied on, and the Liberals feared, in the personal influence of the sovereign. The new King was inclined to liberal measures, and well disposed towards the advocates of reform. A strong sympathy for the French and an ardent desire for improved institutions now began to spread rapidly throughout Great Britain and Ireland. In the latter country Mr O'Connell had organised his celebrated movement for the repeal of the Union, and in England the distressed condition of the agricultural labourers, and of a portion of the manufacturing classes, gave an overt action to the discontents of the people generally. The Duke from the outset opposed this movement, which he was at a loss to comprehend, and had recourse to strong measures of repression. He had committed himself by injudicious proceedings against the press, and he now damaged his credit still further by his attitude of unyielding and peremptory resistance to the public feeling. "At the present moment of national regret," says an eloquent writer, "it will hardly appear credible that England's hero should ever have fallen into such popular disesteem as was then exhibited, but the conjuncture was exceptional, and circumstances combined strongly against his credit with the nation. He had offended his old colleagues by his Liberalism, and his new allies by his Conservatism ; he had scandalised 'staunch Protestants'—never an uninfluential portion of the community—by surrendering his position ; and he was now to offend the unreasoning multitude by making a stand. Besides this, he was connected in popular rumours with the obnoxious Polignac, whom he was said to have abetted in his tyrannical attempts, and whose proceedings unluckily resembled his own in respect of his treatment of the press. Even the professional renown of the great captain rather injured than helped him at this gloomy crisis, for he was regarded as the personification of that force which might be employed against liberty, to the possible destruction of popular hopes. Stories went abroad of military preparations, special musters, and significant appointments, and even the cleansing of the Tower ditch, under the direction of the Duke as Constable of that fortress, though suggested simply by the removal of old London Bridge, was represented as a menace against the citizens of London. Though many years of better feeling have since elapsed, it is

\* Annual Register.



not without shame that we record the ebullitions of discontent which ensued. It was pretended that the Duke's life would not be safe in the city at the Lord Mayor's feast, and it is certain that the conqueror of Waterloo was hooted through Piccadilly, and that the windows of his residence were protected against his own countrymen by casings of iron. Under these hostile circumstances, a division was taken in Parliament on a question relating to the civil list, in which the Government were defeated. They resigned their offices (16 November 1830) and the Tories passed away for ever, and the Wellington party for ten long years.\*

Thus terminated the great Duke's ministerial career. When his party, after so protracted an eclipse, reappeared in 1841, under the new title of "Conservatives," he resumed, indeed, his place in the Cabinet, but without special office or active political duty. "From this time his capacity in the administration of the State acquired those peculiar features with which we are now so familiar. Without being professionally a member of Government, his aid was understood to be always available for ministerial councils, and the command of the army, which he had resigned on accepting the Premiership, but which had reverted to him in 1843, supplied a pretext, if any were wanting, for investing him with this exceptional function."

In 1832, the Reform Bill having for the second time passed the House of Commons, was sent up to the House of Lords, and the Duke and his supporters accepted the bill on its passing the second reading; but on a motion for postponing the disfranchising clauses, the ministers being defeated on a division, proposed to the King the alternative of a creation of peers, or their resignation. In these difficulties the Duke was again called upon to form a ministry. He recommended, in preference to his own premiership, that Mr Peel should be entrusted with the formation of a Government. But it was evident that an extensive measure of reform should be the first principle of any government, and Mr Peel and all the members of his party being conscientiously opposed to such a measure, it was found impossible to form an administration on such a basis, and the King was again obliged to renew his intercourse with the Whig ministers. Under these circumstances of danger, the Duke of Wellington and Mr Peel withdrew their opposition, and the great social revolution was effected 7th June 1832.

It is not necessary to follow the political course of the Duke for some years following this great change. Suffice it to say that the Reform Act utterly destroyed for the time the power of the essentially English or old Tory party.

In 1833, the Irish Church Bill was sent up to the House of Lords, and received the Duke's assent. The new charter of the Bank of England, the renewal of the East India Company's Charter, and the abolition of slavery, were introduced in the same year, and passed through the House of Lords without opposition.

The power of the Whig Government was now in the course of inevitable dissolution. The first blow was the secession of the Earl of Ripon, Mr Stanley, Sir James Graham, and the Duke of Richmond,

\* The anonymous writer before referred to.

on the question of interfering with the temporalities of the Church; the next was their total disruption from their Irish allies by the introduction of the Coercion Bill. The Coercion Bill was withdrawn, but the ecclesiastical questions continued to embarrass the Government, and several important measures were introduced and miscarried. The Melbourne Ministry, in this session, introduced their new Poor-law Bill, which passed both Houses with the decided approval of the Duke of Wellington. The Whig ministry still continued to fall in public estimation, when the removal of Lord Althorp to the House of Lords gave them a final blow. In this position of affairs, the Duke being called upon to attend the sovereign, advised the King to place Mr Peel at the head of a new ministry. He was then absent on the Continent, and the Duke took the duties of all the departments on himself, pending his return. Mr Peel arrived in London on the 9th of December, accepted the premiership, and his Grace retired from his multifarious duties to the single duties of the Foreign Secretary. From this period the Duke's time passed smoothly enough along. His transient unpopularity vanished with the decline of agitation, and he was soon again restored to the popular favour, and when the University of Oxford, in 1834, elected him its Chancellor, we may fairly consider that his compulsory Liberalism had been entirely condoned.

On the death of William IV., and the accession of Queen Victoria, the Duke of Wellington assisted at the coronation of her Majesty as Lord High Constable of England. Marshal Soult attended as the special ambassador of the King of the French, and the ancient antagonists met upon terms of the greatest cordiality. The veteran Marshal was loudly cheered by the people whenever he appeared in public.

A dissolution necessarily followed the demise of the sovereign. The general election produced little change in the relative position of parties. Lord Melbourne still remained in office, and the Duke of Wellington in the Lords, and Sir R. Peel in the Commons, directed the opposition. In the beginning of the year 1839, a bill was introduced by the ministers for suspending the constitution of Jamaica. The measure was opposed by Sir R. Peel and the Conservative party. The Government having carried the second reading by a majority of *five* votes only, immediately resigned. Sir R. Peel was called upon to form a ministry, but owing to an unexpected obstacle arising from changes insisted upon by Sir R. Peel and the Duke of Wellington in the household appointments, and which the young Queen was unwilling to make, Sir Robert declined pursuing the task, and Lord Melbourne and the Whigs resumed office.

In the course of this session, the Duke, speaking on the subject of the defence of the country, commented severely on "the extreme weakness and tottering condition of our naval establishments." The same subject was afterwards, in the year 1848, brought more prominently before the public in the Duke's celebrated letter to Sir John Burgoyne.

It would be outside the scope of this memoir to attempt to follow the history of the noble Duke through all the important changes and events which took place from this period up to the time of his death. They are all matters familiar to every student of the history of those eventful times. In the peculiar capacity which he occupied, though he

was a Conservative by descent and tradition, it cannot be fairly alleged that he was bigotedly attached to party distinctions; the course of events towards the close of his career, tended still more effectually to obliterate those political landmarks which had existed at the beginning. He knew "that the Queen's Government must be carried on, and this Government could be carried on much more smoothly with his co-operation than under the disapproval, however tacit, of so distinguished a subject. So he did the best in his power for all, discharging his duties with nearly the same cordiality, whether a Whig or Tory premier was at the helm, and regarding the general efficiency of the state machinery as a more important consideration than the traditions of the party in power. If he was not one of Her Majesty's advisers by office, he was incontestably so in fact, for no character of history was ever summoned more frequently to give counsel to royalty in straits. Whether the embarrassment was a sudden resignation of the ministry, or an imperfect conception of an administration, or a bedchamber plot, or a dead lock, it was invariably the Duke who was called in—sometimes as a man who could do and say to others of all ranks and parties what could be said and done by no other person living, sometimes as an arbiter in whose decision all disputants would concur." The private life of the Duke was simple, methodical, and familiar in most of its features to all inhabitants and visitors of the metropolis. He married, in 1806, the Hon. Catherine Pakenham, third daughter of the second Baron Longford. The Duke survived her twenty-one years, and died in September 1852, leaving two sons. "Full of years beyond the term of mortality, and of honours almost beyond human parallel, he descended to the grave amid the regrets of a generation who could only learn his deeds from their forefathers, but who knew that the national glory which they witnessed, and the national security which they enjoyed, were due, under God's providence, to the hero whom they had just lost."

We will conclude our memoir with a brief extract from the "Queen's Journal," containing the sovereign's testimony to the worth of her greatest subject.

"We got off our ponies, and I had just sat down to sketch, when Mackenzie returned, saying my watch was safe at home, and bringing letters. Amongst them there was one from Lord Derby, which I tore open, and, alas! it contained the confirmation of the fatal news—that England's, or rather Britain's pride, her glory, her hero, the greatest man she ever had produced, was no more! Sad day! Great and irreparable national loss!

"Lord Derby enclosed a few lines from Lord Charles Wellesley, saying that his dear grandfather had died on Tuesday at three o'clock, after a few hours' illness and no suffering. God's will be done! The day must have come; the Duke was 83. It is well for him that he has been taken when still in the possession of his great mind, and without a long illness—but what a loss! One cannot think of this country without the 'Duke'—our immortal hero!

"In him centred almost every earthly honour a subject could possess. His position was the highest a subject ever had—above party, looked up to by all, revered by the whole nation, the friend of the sovereign,—

and how simply he carried these honours! With what singleness of purpose, what straightforwardness, what courage, were all the motives of his actions guided. The Crown never possessed, and I fear never will, so devoted, loyal, and faithful a subject—so stanch a supporter! To us (who, alas! have lost now so many of our valued and experienced friends) his loss is irreparable; for his readiness to aid and advise, if it could be of use to us, and to overcome any and every difficulty, was unequalled. To Albert he showed the greatest kindness and the utmost confidence. His experience and his knowledge of the past were so great, too; he was a link which connected us with bygone times—with the last century. Not an eye will be dry in the whole country.

"We hastened down on foot to the head of Loch Muich, and then rode home, in a heavy shower, to Alt-na-Guitha-sach. Our whole enjoyment was spoilt; a gloom overhung all of us.

"We wrote to Lord Derby and Lord Charles Wellesley."

#### CHIEF-JUSTICE SCOTT—EARL OF CLONMEL.

BORN A.D. 1739—DIED A.D. 1798.

THE lives of some of the Irish judges of former days present most curious pictures of the times in which they lived. Among the most singular is that of the judge we are about to trace—John Scott, first earl of Clonmel.

The Scotts had settled in Tipperary, where they obtained land and dwelling, after the defeat of the adherents of the house of Stuart. They won their possessions at the sword's point, and held them by the same tenure. The chief-justice himself was always ready to show the martial qualities of his race. His grandfather, Captain Thomas Scott, died on the field of battle, leaving a son Michael, who married Miss Purcell, daughter of the titular baron of Loughmore. From this union was born, on the 8th of June 1739, John Scott, the future chief-justice.

Clonmel, the chief town of the county Tipperary, possessed an endowed school, in which the members of the then dominant church received a classical education. The penal laws were in force, and Protestants had a monopoly in all that was worth possessing—learning especially. When qualified to seek university honours, Mr John Scott repaired to Dublin, and entered there on his university career. In the diligent acquisition of learning, for which at all times Trinity College, Dublin, was renowned, the young Tipperary student passed some years, and having obtained his degree, his future profession was selected. The bar, holding out the attraction of fame and fortune to those of its body who possessed the qualities to command success, appeared to the ambitious young student the best path for him to follow. Accordingly, his parents yielded to his wishes, furnished the requisite funds, and he entered his name as a law student in the Middle Temple in 1761.

Scott had a numerous acquaintance in London, and among his contemporaries were many who subsequently acquired high rank at the



Irish bar. Yelverton, afterwards chief baron Lord Avonmore, and Hugh Carleton, chief justice of the Common Pleas, and Viscount Carleton were his constant companions. Even at this period Scott's unblushing effrontery so conspicuously displayed itself, that, associated with his bronzed visage, he obtained the *sobriquet* which stuck to him through life, of *Copper-faced Jack*. He never was at a loss for anything that was to be had for asking; and, no doubt, borrowed freely when his own funds ran short. We are indeed told Mr Scott was at times poor, and it is supposed his subsequent call to the bar could not have been effected without assistance, or at least, not without much difficulty.\*

Mr Scott was called to the bar in 1765, and his readiness as a speaker, with the aptitude which he possessed for business, soon procured him practice. There were many inducements to idleness and debauchery then corrupting the young men of the time. The mind sickens at the traditions of social reunion where the charter toast was "The Devil and damnation to all."† Clubs existed into which no one was admissible who failed to prove he had outraged morality, fought three duels attended with loss of blood, and drank six bottles of wine at one sitting.‡ When the streets at night were infested by ruffians who called themselves gentlemen, insulted every woman, and quarrelled with every man they met, and stabbed many, calling out "pink him!" These and other relics of a barbarous age no longer terrify the peaceful, and disgust the lover of law and order.

But Mr Scott prudently determined to take a step which would keep him clear of these evil associations; in 1767 he resolved to marry, and to make a prudent choice, took a careful note of the endowments of his lady friends. He fixed upon a young widow, Catherine Mary-Ann Rae, widow of Philip Rae, who possessed L.300 a year, settled by her father Mr Thomas Matthew, on herself, and an equal sum on the two daughters of her first marriage. As Mr Scott had nothing whatever beyond his professional prospects, and his income at the bar being then very moderate (for he was not long called), Mr Matthew discouraged his attention to his daughter. But it was not in the nature of John Scott to be deterred by obstacles. He pressed his suit to the widow with such energy that she consented to unite her fortune to his, and it is stated that a clandestine marriage took place, which was afterwards more publicly ratified in the presence of the bride's father.

At this period of Ireland's history party politics occupied a large share of public attention. The popular passions were fired by the patriotic ardour of Charles Lucas, a medical doctor who, by voice and pen, attacked the British Government for its unjust treatment of Ireland. He influenced several ambitious youths to aid him. Foremost among this body was the young barrister, John Scott. He rivalled Lucas in his denunciations of the Government, and soon became a member of the Irish House of Commons. He was elected for the borough of Mullingar in 1769, and entered with spirit and intrepidity into the arena of party warfare. He held his ground more cautiously,

\* Irish Political Characters.

† The Hell-Fire Club.

‡ The Cherokee Club.

however, than Dr Lucas, who had expressed himself, both orally and in print, in such terms as to be brought under the censure of the House of Commons, and at length, to avoid arrest, fled to England. The great question which occupied men's minds at the time was the right claimed by the Irish House of Commons to originate money bills. This was denied by the Parliament of England, and led to a very angry controversy. To detach Scott from the national party, and obtain the assistance of his talents for the Government, which, unfortunately, has too often mistaken its proper function, and resisted, instead of directed the popular aspirations, Lord Lifford, then Chancellor, held forth the bait of office. Scott, like most men, had his price; the secret springs of his action have recently been laid bare by the publication of his "Diary," and the selfishness of his nature readily caused him to lend a willing ear to the seducing promises of the Lord Chancellor. The zeal of the patriot cooled, and the voice that thundered forth denunciations on the Government, for the conduct pursued towards Ireland, took an altered tone. In 1770, when Scott had been only five years called to the bar, he received a silk gown as king's counsel. Scott was in the habit of keeping a diary, and in this strange record of his career speaks for himself with a curious display of ambition at work.\* Under the date, Thursday June 2, 1774, we read:—"I am, I believe, thirty-five years old this month. Just nine years at the bar, near five years in Parliament, about four years king's counsel. To-morrow (Friday) Trinity term sits. I therefore resolve to enter upon my profession, as upon a five years' campaign, at war with every difficulty, and determined to conquer them. I have given up wine. I will strive to contract my sleep to four, or at most six hours in twenty-four, give up every pursuit but parliamentary and legal ones. If I can realise £2000 per annum I will give up business as a lawyer, or confine it merely to the duty of any office that I may fill. I will exert my industry to the utmost in law and constitutional learning for these five years, so far as temperance, diligence, perseverance, and watchfulness can operate, and then hey for a holiday."

It would appear as if he was examining how the great men of former days distributed their time. He states:—"The most diligent distribution of time is two-thirds for business, one-third to sleep, exercise, eating, and drinking, and idleness. The next is one-half to business, the other to idleness and refreshment. The third is one-third to business, one-third to society, and one-third to exercise and sleep."

The learned advocate also laid down the following rules for his guidance in order not to be unprepared in court. We can form a notion of his earnestness by the strong language he used:—"The pains of the d—d are not equal to the horrors of going to court unprepared, and the fact of losing your reputation, and going down in it. Whilst, therefore, you have one atom of business undone, give up every object, pursuit, pleasure, avocation, diversion, banish everything from your mind but business, the business of your profession. Quarter of an hour to breakfast—one hour only to dinner, when alone—two to exercise, four to bed—quarter to rest in a chair after fatigue—wine."

\* "Ireland before the Union," by W. J. Fitzpatrick, J. P.

He allowed less time to sleep than Lord Coke, whose distribution of the twenty-four hours ran thus:—

*Sex horas somno, totidem des legibus æquis,  
Quatuor orabis, des epulisque duas,  
Quod superest ultra sacris largire camœnis.*

We rather think he never put in practice his axiom, for he appears to have been, at all times, foremost in the convivial parties of Dublin, and his engagement to abstain from intoxicating drink, was, no doubt, influenced by the constant dissipation in which he was involved.

Scott obtained the office of Solicitor-General for Ireland in the room of Godfrey Lill, appointed Justice of the Common Pleas on 15th December 1774. Philip Tisdall, a very eminent leader of the Irish bar, was then Attorney-General, and Scott and he were the Irish law officers until Tisdall's death in 1778, when Scott became Attorney-General and Privy Councillor. He was a man of very versatile talents, and could apply himself very closely to business when he liked.

I suspect few Attorneys-General rigidly follow such a course as Mr Scott marked out:—"He should rise at four in the morning. He should read without fire, standing, if possible, until eight; he should exercise, bathe, and dress at nine; he should see all persons until eleven; he should apply every minute to three in court business; to four he should set down the report of the day. He should not drink wine at dinner, and eat but of few things, and not much. He should not drink wine after seven, and from eight to twelve he should apply to business."

Fox was a far-seeing politician. When Lord Lifford, then Lord Chancellor of Ireland, advised the Lord-Lieutenant, Lord Townshend, to secure the service of Mr Scott for the Government, and the aspiring barrister yielded with the cynical remark, "My Lord, you have spoiled a good patriot," Fox was of opinion the ministry mistook their man. In a letter written by Fox to Lord Northampton, who succeeded Lord Townshend as Viceroy, he remarked: "I hear many of our friends disapprove of the idea of advancing Scott and Fitzgibbon. You know I am no enemy to coalitions; but take care, when you are giving great things, to oblige those to whom you are giving them, that you do not strengthen an enemy instead of gaining a friend."\*

The state of the country is thus described by Scott, in a letter dated April 13, '79—"This kingdom is in such a state as puzzles all comprehension as to what it may do; a multitude of idlers, miserably poor; a debt, small as it is, without a shilling to pay interest, the skeleton of a force, not in His Majesty's service, which it may be difficult to deal or madness to meddle with; taxes to be imposed, and no material for imposition; a great deal of ignorance; a great deal of prejudice; a most overgrown hierarchy, and a most oppressed peasantry; property, by some late determination of the lords upon covenants for perpetual renewals of leases, very much set at sea, and by no means adequate to a multitude of families to supply its place; rents fallen, and a general disposition to riot and mischief. I think in next session administration

\* "Grattan's Life," by his son, vol. iii. p. 112.

will be often beaten, though I really think Lord Bucks an honest, faithful servant of the Crown, and his Secretary a faithful servant to his master. Come what will, you shall hear of me at the right side; and though I should never look you again in the face, I will not run away.\*

He certainly made a true statement when he declared "he would not run away." He was ever ready to support his assertions with sword or pistol. His mode of speaking was thus described by Grattan:—"He struck his breast, slapped his hat constantly, appealed to his honour, and laid his hand upon his sword."

He possessed a great fund of humour, and told comic stories when he could not convince by argument. If the reasons to be encountered were such as he could not answer, he drew upon his unfailing resources of sarcasm. All the light artillery of jests, bon-mots, popular squibs, and witticisms of the day, were peculiarly his property, and he made liberal use of them. He and Flood were continually badgering and stinging each other. Bushe had originally brought forward the Mutiny Bill, which was seconded by Henry Grattan. Flood took the conduct of the measure into his own hands, and made a violent speech, in which he charged the ministerialists with corruption. Scott, the Attorney-General, in reply, said, "There is not any reason for the hon. gentleman's (Mr Flood's) frequent mention of corruption; if a rebellion could be raised, no man possesses more ability to promote it—if stopped, no man possesses greater abilities to allay it. Thus, powerful as he is, I hope he will consider the people, and that his wrath may not be like that of Achilles, only to be appeased by the blood of his country. I perceive, Mr Speaker, that we are all growing warm, and if the house will permit me, I'll tell you a story, which may help to bring us into better temper (Loud cries of 'hear hear'). When I was at the Temple, there was a parish clerk who used to raise the psalm, and who went by the name of *Harry Plantagenet*; I had taken it into my head that the family of *Plantagenet* was quite extinct, and was induced, by curiosity, to ask this man how he came to be called by that name. Accordingly, I went to him one day and mentioned my wish to know his story. 'I was once a king, sir, said he, and reigned with uncontrolled dominion over hounds and greyhounds, beagles and terriers, by which I have acquired this name; but if you please, I will relate the story at large.' *Go on Harry*, said I. 'I lived in the neighbourhood of Windsor Forest when I was a boy, and used frequently to divert myself by hunting the king's deer, for I always loved to hunt the *king's* deer.' *Go on Harry*, said I. 'I halloed and I shouted so loud and so often, that there was not a dog in the park but what obeyed my voice, not a lad in the forest but attended my call.' *Go on Harry*, said I. 'At last, sir, the chief huntsman, perceiving what command I had over the dogs and the sportsmen, resolved to take me into his pay.' *Go on Harry*, said I. 'I accepted of his offer, but I soon found myself so much at my ease, that I grew indolent and insisted upon riding out to hunt in *furniture*, for I always loved to hunt in *furniture*.' *Go on Harry*, said I. 'I was indulged with furniture, but I soon perceived that the younger fellows,

\* "Ireland before the Union," by W. J. Fitzpatrick, p. 6.



who could now outstride me, became greater favourites with the chief huntsman.' *Go on Harry*, said I. 'This stung me to the quick, and I determined to pick a quarrel about some of the fringe of my furniture which was torn, and which I would have repaired at the chief huntsman's expense.' *Go on Harry*. 'I immediately began to hunt in opposition; but not a dog obeyed me, not a sportsman attended my call.' *Go on Harry*. 'I halloed and I roared and I shouted until I was weary, but still without any effect.' I had the mortification to find that I had totally lost my influence in the forest, and I retired to this parish to devote the rest of my days to the making of my soul, and I now raise the psalm and join in the thanksgiving.' This, sir, is the story of *Harry Plantagenet*, and his story I would apply to every man who cannot be quiet without expense, or angry without rebellion." The Attorney-General told this story with great humour, and the application was so obvious the house waited with impatience for the reply of Mr Flood. He said, "I cannot perceive the smallest similitude between this story and my situation, except that my name is *Harry*. I have, indeed, been a huntsman, but then I was never a whipper-in. But the right hon. gentleman has the happy talent of turning everything to his advantage. When he became an object of popular resentment, he traversed the streets with a guard—he looked melancholy at the bar—sighed in the House—cried in the council—and blubbered in the ante-chamber. The people were astonished, the women went into mourning, the Government thought all her functions were suspended, and nothing could allay the general concern, but a plentiful reversion for the right hon. gentleman. When the fleets of England, at a great expense, made a number of little descents upon the French coast during the last war, it was wittily said, that we were breaking panes of glass with guineas; and though his house is filled with the richest and most elegant furniture, yet I will venture to say, that no part of it cost so much as the *crown glass* with which his windows were repaired." This allusion to the crown glass was a taunt against the Attorney-General, who was so much disliked during the excitement caused by the announcement of new taxes, that the mob sought him in the courts to offer him personal violence. Not being able to find him, the rioters proceeded to his house in Harcourt Street, and broke his windows, which, from Flood's speech, we may presume, were repaired at the public expense.

Scott and Flood had constant bickerings. As they were both entering the House of Commons on the first night of the session, Scott said, "Well, Flood, I suppose you will be abusing me this session as usual?" "When I began to abuse you," replied Flood, "you were a briefless barrister; by abuse I made you counsel to the revenue; by abuse I got you a silk gown; by abuse I made you Solicitor-General; by abuse I made you Attorney-General; by abuse I *may* make you Chief-Justice. No, Scott, *I'll praise you*." The Attorney-General seems to have caught the spirit of liberty which prevailed in the year 1782. When Grattan brought the Bill of Rights before the House of Commons, Scott made a speech in its favour, which startled the occupants of the Treasury Bench. He used such language as never fell from the lips of an Attorney-General before or since. "He thought it better that

the object of the British laws should be doomed to destruction, than that his country should be held in even a supposed state of absolute slavery. He, therefore, did as a lawyer, a faithful servant of the Crown, a well-wisher to both countries, and an honest Irishman, and in the most unqualified, unlimited, and explicit manner, declare his opinion that Great Britain has no right whatever to bind his country by any law. If the tenure of his office was to be the supporting opinions and doctrines injurious to the undoubted interests of Ireland, he held it to be an *infamous* tenure; and if the Parliament of Great Britain were determined to be the lords of Ireland, *he was determined not to be their VILLAIN* in contributing to it." "I owe," he said, "the avowal of these sentiments to Great Britain, to my country, and to myself." Although Scott appears to have been surprised that the Government was dissatisfied with his speech on this occasion, no one else could feel wonder at it. He addressed the following remonstrance to Judge Robinson, in reference to the report that he (Scott) would be deprived of his office:—

"DUBLIN, April 26, 1782.

"You are not unacquainted with my situation and services, having been for twelve years, either Counsel to the Revenue Board, or Solicitor, or Attorney-General. His Majesty and his ministers have done me the honour to approve of my conduct in these different stations under the Crown. I have given no offence except to the rabble, in supporting what, as a man of honour and truth, I believed to be the laws of my country. I hear now, with astonishment, and with some degree of indignation, that I am to be removed, and when I asked Mr Fitz-Patrick whether I might hope for the same favour which I had experienced from former administrations, and whether my future conduct was to be the test of my pretensions under the Duke of Portland's administration, he answered me drily, 'that he did not know the sense of Government on that subject.'

"Now, only imagine the folly of such treatment to a man who is to be dismissed merely for doing his duty faithfully. I have, at the peril of my life, in a time of violence, asserted the law of the land; accepted too as such. His Grace of Portland, an English official, strips me of the station and honour, which I have acquired through five successive English administrations fairly, gradually, and honestly."\*

The Government, however, was not going to allow their law officer to use such language as the Attorney-General used, a second time, and his resignation was the consequence of this oration. He was succeeded in his office by a contemporary who also entered life as a flaming patriot, but unable to resist the blandishments of ministers, ended by supporting their measures, though opposed to his ancient professions. This was Barry Yelverton. The conduct of John Scott, however, proved no permanent bar to his advancement.

On the 31st of December 1783, he became Prime Serjeant. This gave him precedence of the bar, and was a position highly prized. He did not retain it long; a higher honour was in store for him. On the death of the old Chief Justice Lord Annaly, the Court of King's

\* "Ireland before the Union," p. 14.

Bench received in his place the Prime Serjeant, with the grandiose title of Baron Earlsfort of Lisson Earl. His promotion, it would appear, was opposed by the Duke of Portland; for John Claudius Beresford, writing on the 19th of June 1784 to his friend Judge Robinson, says:—"Scott,—I beg pardon, his Lordship is at this moment the happiest of men, just in the situation he could wish for. He wants nothing but the satisfaction of sitting in judgment on his Grace of Portland, who would have a poor chance of escaping the Chief-Justice."

From an entry made in the Chief-Justice's diary on June 23rd 1784, he appears to have intended to give himself to close application. "Five years married this day, forty-five years old, five years reading, at twelve hours a day, would establish my reputation on the bench, and make the rest of my life easy. Cromwell would have done it, and did a thousand times more." This secret comparison with Cromwell is extremely amusing, as showing how widely they who clamber from the mud to a certain height, may err as to the elevation they have attained, and their place in the category of great men.

The entry on 25th April 1787 displays a very hostile feeling towards many who deserved better treatment from him: "The first sitting day of Easter Term St Mark's day. Three years this term, chief justice; twenty-two years this term called to the bar; Lord Chief-Justice Paterson, my very sincere friend, dead; his intended successor Carleton, a worthless wretch, though I was his maker.\* Lord Chancellor Lifford, a declining insincere trickster.† Lord Pery and the Provost, old, watchful, adverse jobbers.‡ Bennet, likely to ascend the King's bench, is adverse to me. Henn, his kinsman, is at best a fool. Bradstreet, able, double, and dying. Thus I stand a public character *alone*; but at the head of the Law Courts, assistant speaker of the House of Lords, and in receipt of L.15,000 per annum." This extract shows the learned chief justice had not much respect for his colleagues. Boyd, another judge of the King's Bench, is described by O'Connell as so addicted to brandy, that he kept a quantity on the bench before him in a vessel shaped like an ink-stand, he had a tube made like a pen through which he sucked the liquor he loved, and flattered himself he escaped observation.

That the Chief-Justice entertained a proper sense of his exalted position, appears from the following extract:—"King's Bench, after great deliberation, seems to me to be the best and only anchor to hold everything valuable in public and private life by. It keeps me in connection with the government and power of both countries; it connects me with the first society in this; it preserves my person from insult, my property from attack; it secures civility from the highest, and respect from the lowest; it makes many friends, or keeps down enemies; it tends to preserve discipline, regimen, and health, and leads to fame, and perhaps to many domestic comforts; for to be respected, one must be looked up to even by wife and children. Chief-Justice

\* Carleton had been his benefactor, and it was he who enabled Scott to get called to the bar.

† It was the Lord Chancellor who recommended Scott for official employment.

‡ Robert Henry John Hely Hutchison, among various offices was Provost of Trinity College, Dublin.

may be made everything; Earl is actually nothing in society. The Court duties and attendance, without circuit, are but three months in the year. Undertake it with spirit, vigour and resolution; grapple to it; prove fond of it; be vain of it, determining to live and die Chief-Justice.—*Deo faventi*."

When his Lordship solaced himself with thinking the judicial dignity preserved, "his person from insult, and his property from attack," he made a very great mistake. The *Dublin Evening Post*, of which Mr Magee was proprietor, having in a series of articles laboured to deprive a Mr Higgins, popularly known as the Sham Squire of his undue importance, the Chief-Justice signed a fiat, directing the issuing of a writ whereby Magee was arrested, and required to find bail to the amount of L.7,800. This was tantamount to perpetual imprisonment, so the case was brought before Parliament by George Ponsonby, and Arthur Browne, both very able members of the Irish Bar. The rare instances in which such a course was adopted in England, were referred to, and the case of the Duke Schomberg, who obtained a fiat from Chief-Justice Holt, against a man named Murray for charging him (the Duke) with having cheated his sovereign and the army. The Chief-Justice of England ordered Murray to find bail, two sureties of L.25 each, and himself in L.100, while the Chief-Justice of Ireland required Magee to find bail L.7,800."

The conduct of the Chief-Justice in this affair was wholly indefensible. The number of squibs and pamphlets printed against the arbitrary conduct of the Chief-Justice would fill a room, and an Act was passed preventing any repetition of this conduct, which Scott thus notices, under date of May 5th 1791: "this day is remarkable as the conclusion of Lord Westmoreland's detested administration, and the passing of twenty-five laws, one of which I shall not forget, as made directly against myself."

The Chief-Justice, though professing civility to the bar, got into a very severe scrape in 1789. He treated a barrister named Hackett with such rudeness that the bar took it up, and made common cause with the assailed Counsel. A bar meeting, presided over by the father of the bar, was held; a very strong resolution, condemnatory of the conduct of the Chief-Justice was passed, with only one dissentient, and the meeting agreed, "that until the Chief-Justice publicly apologised, no barrister would hold a brief, appear in the King's Bench, or sign any pleadings in that Court."

The bar adhered firmly to their resolution. The judges sat, but the bar benches were empty; no attorneys were visible, and their lordships had the court to themselves. The Chief-Justice had no option; he published a very ample apology in the newspapers; and, with much tact made the date appear as though it were written voluntarily, and without the vote of censure from the bar.

In August of this year (1789), the Chief-Justice was advanced in the peerage, and created Viscount Clonmel. He did not think this rank high enough, and in 1793 was dignified as Earl of Clonmel.

The indiscretion of a judge attempting to interfere with a person in his business transactions is clearly illustrated by the conduct of the Chief-Justice towards Mr Byrne, a printer, who advertised a report



of the trial of Hamilton Rowan in 1794. The following dialogue is said to have taken place between the Chief-Justice and the printer:—

Chief-Justice: "Your servant, Mr Byrne. I perceive you have advertised Mr Rowan's trial."

Mr Byrne: "The advertisement, my lord, is Mr Rowan's; he has selected me as his publisher, which I think an honour, and I hope it will be profitable."

Chief-Justice: "Take care, sir, what you do. I give you the caution; if there are any reflections on the judges of the land, I swear I'll lay you by the heels."

Mr Byrne: "I have many thanks to return to your Lordship for the caution. I have had many opportunities of going to Newgate, but I have never been ambitious of that honour, and I hope in this case to avoid it in the same way. Your Lordship knows I have but one principle in trade, which is to make money of it; and that, if there were two publications giving different features to the trial, I would publish both. There is a trial published by Mr M'Kenzie."

Chief-Justice: "I did not know that; but say what you may upon the subject, if you print or publish what may inflame the mob, it behoves the judges of the land to notice it; and I tell you plainly, if you misstate my expressions, I will lay you *by the heels*. One of Mr Rowan's advocates set out with an inflammatory speech, mistaking what I said, and stating what I did not say. I immediately denied it, and appealed to the court, and the gentlemen who were in it, and they all contradicted him, as well as myself. These speeches were made for the mob, to mislead and inflame them, which I feel it my duty to curb. If the publication is intended to abuse me I don't value it. I have been so long in the habit of receiving abuse that it will avail little. But I caution you how you publish it; for if I find anything reflecting on, or misstating me, *I'll take care of you*."

Mr Byrne: "I return your Lordship many thanks."

The advocate alluded to by the Chief-Justice was Mr Curran, who in truth did not spare the judge. It was in Curran's defence of Rowan that he delivered the well-known passage on the irresistible genius of universal emancipation. The Chief-Justice certainly suffered great annoyance from the *Dublin Press*, but not without great provocation. He persecuted Magee, the proprietor of the *Dublin Evening Post*, by issuing fiats which consigned the proprietor to prison. When Magee got out he rented a field, which he called "Fiat Hill," adjoining Temple Hill, the handsome demesne of the Chief-Justice. Here Magee caused all the roughs of the city, and country, to assemble, and enjoy what he called "A GRAND OLYMPIC PIG HUNT." There was drink provided for all-comers, and a vast crowd assembled.

The result may be easily imagined. No sooner were the pigs unloosed than they attempted to escape from their noisy pursuers on Fiat Hill, in the silent and well-kept grounds of the Chief-Justice. Mobs are no respectors of persons, no more than pigs, and the half-intoxicated multitude scaled the fences, broke through the hedges, and trampled the flower beds, in the joyous excitement of this Grand Olympic Pig Hunt. To the great rage of the Earl of Clonmel, Magee's *fête* proved

very successful in the object he had in view. The grounds of Temple Hill were left in a most dilapidated state.

Curran never puled well with the Chief-Justice. Both Curran and the Right Hon. Mr Ponsonby, brought the conduct of the Chief-Justice relating to the granting of fiats before the House of Commons, where the course he had pursued was considered indefensible.

We have already alluded to Higgins, popularly known as the Sham Squire. He was much patronised by the Chief-Justice. When Magee was brought before the King's Bench on a fiat, he referred in his defence, to the notorious "Sham Squire."

"I will allow no nicknames in this Court?" exclaimed the Chief-Justice.

"Very well, John Scott?" was the retort of Magee.

Old age with its infirmity was now rapidly closing in upon the Earl. It is said that, meeting a young chimney sweep, whose smiles beamed through the sootiness of his skin, the veteran said with a sigh, "I would rather be a young sweep than an old judge."

In the Spring of 1798 he was very feeble, and was reported dying. Curran was asked: "Do you believe Clonmel is near his death?" "I believe," replied Curran, "he is scoundrel enough to live or die just as it suits his own convenience."

But the hour was at hand when, whether it suited his Lordship's convenience or not, he should obey the dread summons. He expired on the 23d of May 1798.

#### CHIEF-JUSTICE LORD NORBURY.

BORN 1740—DIED 1831.

JOHN TOLER, Lord Norbury, Chief-Justice of the Court of Common Pleas in Ireland, was born at Beechwood, in the County of Tipperary, on first July 1740. Mr Toler, when dying, called his son John to his bedside, and told him, "that to sustain the credit of the family, he left the estate to his elder son, Daniel, while he (John) should be content with a legacy of fifty pounds," and, drawing from beneath his pillow a pair of silver-mounted pistols, he bade John "never to omit displaying the valour of an Irish gentleman in resorting to his weapons."

Daniel became Member of Parliament for the county of Tipperary, and John, having selected law as his profession, was called to the bar in 1770.

The state of society in Ireland when John Toler commenced practice was as much suited to call forth his prowess with his pistols as his abilities as a lawyer. Law, as a science, was known but to few, or avoided; as a knowledge of technicalities was rather hazardous, when a special pleader would have to fight his battles twice over—with arguments first and pistols afterwards. It was considered personal to demur to a declaration. Every man defended his own arguments by an appeal to arms, and wager of battle was a common plea. Into this body, in which personal courage and readiness to take short notice of trial by pistols were great ingredients of success, John Toler entered, and soon gave

indications of his vigour and courage. He was not burdened with any legal lore. The reports he was best acquainted with proceeded from his hair-triggers. He had personal qualifications, too, which were of considerable use. A loud voice, dauntless assurance, a happy vivacity, which ever produced merriment, and an imperturbable coolness, not to be disturbed by the noise and bustle of a *nisi prius* trial. He soon got into considerable practice, and we find that he shortly entered the Irish House of Commons, being elected member for Tralee in 1776.

This was the time to make himself useful to the Government; his eldest brother represented Tipperary, and supported the administration, so that he caused it to be known at head quarters that his own life, as well as his brother's vote, was at the service of the ministry. In order to prove his sincerity in the first offer, he resolved to "put down" one of the leading members of the popular party, Mr Napper Tandy. This gentleman had often declared his willingness to fight, and Toler was very ready to afford him the opportunity, but saying is one thing, and doing another. Tandy met the ministerial gladiator so tardily that he lost caste, while the champion of the Government rose in public estimation. The Irish Parliament at this period, and thence till 1797, was singularly constituted. The ablest men of the time, Grattan, Curran, the Ponsonbys, Forbes, Bowes, Daly, and many others, were a phalanx in opposition to the Government, and to seduce the talented, or intimidate the weak-hearted, was the mode of treatment adopted by the ministry.

The most prodigal offers were made to induce young men of ability to become adherents to the Court party, while men such as Toler were ready to convert a debate into a sort of tragi-comedy, in which he and Sir Boyle Roche played the principal parts. No means of giving personal offence seems to have been spared on these occasions, and it certainly was carrying the freedom of Parliamentary speaking to its utmost limit, when the following language, used by Mr Toler in reply to Mr George Ponsonby, an eminent lawyer, afterwards Lord Chancellor of Ireland, was allowed to escape the lips of any one pretending to be a gentleman: "What was it come to, that in the Irish House of Commons, they should listen to one of their own members degrading the character of an Irish gentleman by language that was fit but for hallooing a mob? Had he heard a man out of doors using such language as that by which the honourable gentleman violated the decorum of Parliament, *he would have seized the ruffian by the throat and dragged him to the dust.* What was the House made of that could listen with patience to such abominable sentiments? Sentiments, thank God, which were acknowledged by no set of men in this country, except that infamous and execrable nest of traitors who were known by the name of United Irishmen, who sat brooding in Belfast over their discontents and treasons, and from whose publications he could trace, word for word, every expression the honourable gentleman had used."\* This direct attempt to involve Mr Ponsonby in a hostile meeting was unsuccessful. That gentleman allowed his high character to refute the slanderous insinuations of the learned bully. But there were plenty of fire-eaters then in the House ready to humour him.

\* Irish Parliamentary Debates, Feb. 1797.

One of them was Sir Jonah Barrington, whom he attacked with great bitterness. The reply was, "I shall give the honourable member the character developed by his versatility. He has a hand for *every man and a heart for nobody*." This sarcasm called forth a reply with a gesticulation not to be misunderstood. Both parties left the House, and were pursued by the serjeant-at-arms. In hurrying along, Toler was detained by the skirts of his coat catching in a door, and in the struggle to effect his escape, they were entirely torn off, and he was made prisoner. Barrington was also captured in Nassau Street, and both were brought to the House. The Speaker required them to promise upon their honour the affair should go no further. Toler rose to explain, and as he had no skirts to his coat, he cut a curious figure. Curran said "it was an insult to the House, that one member should *trim* another's *jacket* within the walls, and almost in view of the Speaker." This joke caused a shout of laughter; so, on their promising not to fight, the affair dropped. Having given many proofs of his devotion to the Government, it is only natural to find Mr Toler receiving advancement, and in 1798, on the elevation of Arthur Wolfe as Chief-Justice of the King's Bench, he was made Attorney-General. The contrast between them was very great. Wolfe was gentle and merciful, while Toler had more the attributes of a beast of prey.

In the year 1800, the Attorney-General was raised to the bench and peerage. He became Lord Chief-Justice of the Common Pleas in the room of Lord Carleton, and by letters patent, dated 30th December, created Baron Norbury. He had previously on the 7th November 1797, obtained a peerage for his wife, as Baroness Norwood. His name hitherto had been prominent for carrying the law severely into operation against the United Irishmen, and now that he reached the eminence of the Bench, his ambition seemed to aspire to no higher position than to be regarded as a compound of Calcraft and Joe Miller. Thenceforward the press seldom published a newspaper without a paragraph entitled "Lord Norbury's last Jokes."

The *bon mots* attributed to Toler are innumerable. At a banquet given by Lord Redesdale, Lord Chancellor of Ireland in 1802, to the Judges and King's Counsel, the Chancellor remarked, "that in his boyish days, cock-fighting was in fashion, and that both ladies and gentlemen went to the cockpit in full dress, the ladies wearing hoops."

"I see, my Lord, replied Lord Norbury, "it was there the term *cock a hoop* was invented."

A general laugh burst forth, and the Chancellor's gravity was a contrast to the merriment around, he preserved silence until, skating being mentioned, he said "all danger would be obviated by the simple contrivance of placing blown bladders beneath the arms; for then, if the ice should break, the bladders, being buoyant, saved the wearer from sinking."

"I agree with your Lordship," said Lord Norbury, "it's a right good plan. In Ireland we call that *blatherum-skating*."\*

The leading practitioners of the Court proved no mean corps

\* A vulgar word for nonsense.



of actors in the "broad farce." Harry Deane, Grady, O'Connell, Wallace, and Gould, were the principal performers. The scenes which occurred, the hard hits dealt between the bar and the bench, were such as no other tribunal ever presented before, or probably ever will again. Imagine a counsel saying to the judge, "I hope your lordship, for once in your life, will have courage to nonsuit."

The word courage stirred up the Toler blood in the veins of the Chief Justice. He repeated the word "Courage! I tell you what, Mr Wallace, there are two kinds of courage; courage to *shoot* and courage to *nonsuit*, and I hope I have both; but *nonsuit* now, I certainly will not."

During Lord Norbury's time, the court in which he presided could hardly be regarded as a court of law. Some wag denominated it "the Common Plays," and from the inimitable description given of it in "Shiel's Legal and Political Sketches,"\* it must have well deserved the appellation. We can imagine the galleries crowded with the mixed audience. They were not drawn there to listen to law arguments, but to pass an idle hour pleasantly. They were of all grades and callings. In due time, the Chief-Justice's registrar, Mr Peter Jackson, made his appearance, and was soon followed by Lord Norbury, when the fun began. The well-known pun of the "Daily Freeman" was made on the occasion of a young barrister, of very gentlemanlike address, opening the pleading before him.

"A very promising young man," exclaimed his lordship, "Jackson, what's his name?"

"Mr Freeman, my Lord."

"Ah, of the county of Cork, I know it by his air. Sir, you are a gentleman of very high pretensions, I protest I never heard the money counts stated in a more dignified manner in all my life. I hope I shall find you, like the paper before me, a 'Daily Freeman' in my court."

His propensity for punning was such that it would appear impossible for him to resist giving utterance when the opportunity presented itself. On the action brought against an individual named Paul, several letters addressed by him were given in evidence. The jury expressed a wish to see them. "By all means," replied his Lordship, "send up to the jury those *Epistles* of Paul."

One day a gentleman on circuit meeting Lord Norbury at dinner, was entertaining him with several sporting anecdotes. Among other extraordinary feats, he mentioned having shot "thirty-six hares before breakfast."

"I don't doubt it," replied his Lordship, "but you must have fired at a wig."

A Mr Pepper, being out hunting with the Chief-Justice, happened to be thrown from his horse. "What do you call your horse," asked the punster.

"I call him Playboy," replied the owner.

"I'll give him a better name," replied Lord Norbury, "call him Pepper-Caster."

The following may be justly regarded as a most successful *bon mot*. A case in which Mr Hope was attorney for one of the parties, having been partly argued before the Common Pleas, the Court wishing to conclude the arguments, asked Mr Hope "if he could get in his counsel."

"Yes, my Lord," replied Mr Hope, "Mr Joy told me he'd be back shortly." Time, however rolled on, and no counsel appearing, the judges became impatient. The long pause was broken by Lord Norbury exclaiming, in the words of the Irish melody,—

"*Hope* told a flatt'ring tale,

That *Joy* would soon return."

Meeting a gentleman named Speare out riding, as they proceeded together, Lord Norbury observed his companion greatly shaken by the high action of his steed as they trotted along. "That horse of yours reminds me of a famous author, whose works I loved," quoth the Chief-Justice.

"Indeed!" replied the other, "may I ask who it is?"

"*Shake-Speare!*" rejoined Lord Norbury.

When Lord Norbury visited Glendalough he wished to see St Kevin's Bed, a cavern in the rocky side of Lugduff mountain, and here he delivered himself of a number of puns, which illustrate the reckless and undignified style of the Chief-Justice's conversation.

"Well," said the punning Chief-Justice to the guide, "where is the Saint's bed?"

"There! plase your Lordship—that hole in the rock."

"I see," responded his Lordship, "the saint was a *holy* man, and wished to be *rocked* to sleep."

"I have *hard* (heard) so, my Lord."

"Hard lying, no doubt—a fit lair for a *Rockite*."

"Indeed then, my Lord, I never heard of Captain Rock being there; but shure General Dwyer\* went there after Vinegar Hill."

"I wonder did he try if the vinegar would soften the rock, as in Hannibal's time?" suggested the facetious Chief-Justice. "What became of Dwyer?"

"He was near being caught there, my Lord, but he escaped by leaping into the water like a fairy."

"Ah! that's the fairy called the *Leprechaun*, I suppose."

"True for you, my Lord, you see the sogers were a top of the cliff."

"*High-landers*, no doubt," said Lord Norbury.

"Yes! your honour—and as Dwyer swum like a duck they fired, but he dived, and escaped."

"Of course ducked, and got *Scot-free*—did not accept the invitation from the Caledonian ball."

O'Connell used to brow-beat and badger the Chief-Justice, whose law was far from being profound; but he had a parrot-like memory of cases, and sometimes made very good decisions.

When a knotty case was argued before the full Court, the question arising out of a Contingent Remainder; the great text-book upon this

\* A leader of the insurgents in 1798.

branch of law, by Mr Fearne, was constantly referred to. In giving judgment, Lord Norbury could not resist the opportunity afforded for a pun.

"The cases referred to by the learned counsel, who have so ably argued this intricate question, resemble the hares in Tipperary, that are mostly found in ferns."

The scenes of contention between the counsel, when Wallace, Gould, Grady, and O'Connell were striving to outvie each other, and Lord Norbury, with his puffed cheeks, and stentorian voice, rising above the rest, were matters of notoriety.

One day, when the noise was at its loudest, a witness, being asked what his employment was, replied—"I keep a racket court." Lord Norbury chuckled, and looking around him, exclaimed, "Well, so do I! so do I!"

During an action of breach of promise of marriage, the love-letters put in evidence on the part of the plaintiff to prove the case, had doubtless been shown to many sympathising friends, and, like all papers that pass through many hands, were much worn at the edges of the folds; Lord Norbury held some of them in view of the jury, and exclaimed with a nod, "Gentlemen, it's easy to see those are love-letters, for they're mighty *tender*."

Nothing could exceed the comicality of what, in courtesy, must be called his charges to the jury. He invariably commenced by praising the party against whom he was about to suggest that the jury should find. He usually leaned in favour of the plaintiffs in actions, and thus would laud the defendant as one of the most respectable men in the community, that he himself was acquainted with his worth, that he had known his revered father, and having wound up the panegyric of his virtues, came to a fatal "but," which caused the audience, familiar with his mode of charging, to roar with laughter. He then took the other side, and put the points in the plaintiff's favour strongly to the jury. Then he rambled into a strange harangue, combining jests of Joe Millar with jokes of his own; scraps of poetry from Milton, or from Shakespeare's plays, which, though strangely jumbled, were well delivered. Towards the close he would often try back upon the case, but when he ceased, the whole address appeared to the mind a most unintelligible compound of words and sentences, in which facts and law were quite forgotten.

When Lord Norbury was charging the jury in the case of *Guthrie v. Sterne*, brought by the plaintiff for criminal conversation, his Lordship said:—"The defendant's name, gentlemen, is Henry William Godfrey Baker Sterne, and now, gentleman, you have him from *stem* to *stern*. I am free to observe that if this Mr Henry William Godfrey Baker Sterne had as many Christian virtues as he has Christian names, we should never have seen the honest gentleman figuring here as defendant in an action for *crim. con*."

If Lord Norbury cut a comic figure when presiding on the bench at Nisi Prius, he was hardly less ludicrous when sitting with his three brethren in *banco*. As if to form the strongest contrast human nature could display, on his Lordship's left sat Mr Justice Mayne, one of the gravest, dullest, and starchiest of men that ever wore the judicial robes.

It was with reference to him Jerry Keller made the *bon mot*, when seeing this stupid lawyer raised to the bench, the talented wit exclaimed: "Well, Mayne, there you are! There, you have been raised by your gravity, while my levity still sinks me here."

His solemnity presented quite a foil to the Chief-Justice's humour, and in its way was almost as droll. Nothing could excite a smile on his face. He was proof even against Lord Norbury's jokes, and although every other person was shaking with laughter, there sat Judge Mayne, grave, cold, and unmoved, as if reproaching the misplaced mirth of every one else. Judge Fletcher also was an associate not to the Chief-Justice's taste. He was a good lawyer, but destitute of all degree of manner. Of strong, vigorous, masculine mind, he was very irritable, and was overheard severely rebuking the lively sallies of his chief in strong language, in which the word "mountebank" rose audibly. Judge Torrens, the fourth judge, was a most courteous man, but never in high legal repute.

The Chief-Justice had great recollection of faces, and very few of those who were tried before him were forgotten. A gentleman of high rank was brought before Lord Norbury on a charge of house burning. The case of arson not being proved to the satisfaction of the jury, they acquitted the prisoner, but the public did not concur in the verdict, and called the ruin of his dwelling-house Moscow. Some time afterwards, this gentleman, who had recently been married, met Lord Norbury at a levee in Dublin Castle. "How are you, Lord Norbury?" asked the Honourable Mr — quite unconcernedly.

"Very well, thank you, Mr —," replied the Chief-Justice, "very glad to meet you *here*."

"Just come up to have my bride presented at the drawing-room," said Mr —.

"Married, eh!" said his Lordship. "Quite right—taken St Paul's advice, better *marry* than *burn*."

His Lordship had a country residence at Cabra; but few ever saw the inside of it, though, from the apparent heartiness of his invitations one might have believed him a most hospitable man. A story is told of a worthy old gentleman and his wife having responded to the usual good-natured question, "When will you pass some days at my place?" by going there with band-boxes and portmanteaus. They were booked, in their own minds, for a week at least, but had reckoned without their host. Lord Norbury had his wits about him, and on seeing the preparations for the sojourn, immediately came to the hall door. "Now, my dear friends, this is so kind of you. I'll really take no excuse, you must positively oblige me by *staying to dinner*."

His Lordship retained his seat on the bench for about seven and twenty years. Latterly his advanced age weakened his faculties, and a tendency to somnolency displayed itself on some occasions, which rendered the due administration of justice difficult. Once, it was stated, when six persons were on their trial, his Lordship fell asleep. The counsel for the prosecution requested the jury to keep notes of the evidence, that they might inform the judge when he awoke. On another occasion, it was said he had fallen asleep during the trial of a man for murder, and when required to furnish his notes of the evidence, was unable to do so.



It is certain, however, strong efforts were made to induce him to retire. A petition was presented for that purpose in the House of Commons, and the late Sir Robert Peel was very anxious that he should be removed. Lord Norbury intimated his desire to consult his friends before taking so decided a step, and this was considered reasonable. Some time elapsed, when a member of the Government waited on his Lordship to ascertain his decision. He told the official he had called much too soon, as the friend he was most desirous of consulting was then in India, and he had not had time to hear from him. It was also reported that another of the advising friends of his Lordship was Sir E. Parry, then on a voyage to the North Pole. Lord Norbury was now eighty-six, and Government was puzzled how to act.

The Lord-Lieutenant of Ireland was communicated with, and, we are informed, sent his Under-Secretary, Mr Gregory, to give the obstinate Chief-Justice a hint to resign. Lord Norbury, soon as the Under-Secretary was announced, guessed his errand, and arranged his mode of meeting the attempt. Requesting the Under-Secretary to accompany him to his study, he locked the door, and assuming a very bellicose aspect, he said :—

“Gregory, you are my oldest friend, and I have no scruple in wishing to speak my mind to you. It seems I am about to be grossly and publicly insulted. I, who never brooked even a saucy look! Will you believe it, Gregory, our mock monarch of the Phoenix Park means to demand my resignation!! Of course the puppet poltroon himself is irresponsible. But my mind’s made up. The Castle hack he sends shall be his proxy. I’ll have his life or he shall have mine, ay! though he were my brother. Gregory, my old, my valued friend, will you stand by me? The hair-triggers are ready, as in the days of Tandy and Fitzgerald.”

The Under-Secretary had the pleasant alternative of disobedience to his commands or a duel, and thinking the former the lesser evil, returned to the Castle without fulfilling his mission. But the promotion of Mr Canning to the Premiership was the occasion of Lord Norbury’s leaving the bench. He stipulated, however, for an earldom, which was acceded to, and in the year 1827 he yielded the Chief-Justiceship of the Common Pleas to Lord Plunket. His Lordship survived his retirement about four years, and died on the 21st of July 1831.

#### PETER BURROWES COMMISSIONER OF THE INSOLVENT COURT

BORN 1753—DIED 1842

Peter Burrowes was born at Portarlington, in the Queen’s County, in 1753. He does not appear to have indicated, at any time during his boyhood, the great mental gifts which he displayed in after years; but, undoubtedly, he was then storing his mind with the learning he subsequently used so well. It was a time of importance in the political history of Ireland; there were already the foreshadowings of 1782, and it was instilled into Peter Burrowes, from boyhood, that Ireland was formed with the outlines of a kingdom—not a province. After receiving

sufficient education in the school of his native place to fit him for a collegiate career, Burrowes entered Trinity College, Dublin, in 1774, and soon gave a proof of the superiority of his talents and application to his studies, by obtaining a first scholarship in 1777. His college course was marked by his acquiring the life-long friendship of that eminent band of patriots whose talents and career caused Ireland to be respected. Of these, Plunket and Bushe were bright examples. In conjunction with these rising orators, Mr Burrowes was a leading member of the College Historical Society, and filled the office of auditor during the session commencing 31st March 1779. When the hostility of the college authorities, in 1794, compelled the members of the Historical Society to meet without the walls of the University, the exhibition room in William Street was engaged as the place in which the Society should hold its meetings. At this period, Lord Chancellor Earl of Clare, considering the topics debated by the society as savouring more of modern politics than suited his views of Irish government, caused the temporary suppression of the Society. The closing speech in the University was delivered by Mr Burrowes.

We next find him a law student in 1783; and, in 1784, he published a pamphlet, in which the right of the Roman Catholics of Ireland to the elective franchise was very ably asserted. The ability and masterly style in which the pamphlet was written; the views of reform so clearly pointed out, and the policy of Mr Pitt so ably criticised, attracted the attention of no less a statesman than the Right Hon. Henry Flood. He quickly sought out the young and gifted author, and an acquaintanceship was formed which soon ripened into a friendship severed only by death.

Having completed his term, Mr Burrowes was called to the Irish bar in Easter Term, 1785. He selected the Leinster circuit, and having acquired the character of a well-read lawyer, was soon in fair practice. One of his great arguments, which has been preserved, and which will well repay perusal,\* was addressed to a committee of the Irish House of Commons on the occasion of a petition against the return of the Hon. Francis Hely Hutchinson, as member for the University. Mr Burrowes' speech on this occasion raised him to great eminence, not only with members of his profession, but with the public, and thenceforward he occupied a leading place among the most distinguished members of the Irish bar.

Mr Burrowes once had a most providential escape when fighting a duel with the Hon. Somerset Butler. Mr Butler's ball struck some coins in Mr Burrowes' waistcoat, which turned the bullet, and saved his life. It is right to remark that this circumstance of his having fought a duel, was the only act of his long life which he considered a reproach; for he condemned duelling as a wicked and absurd practice, utterly unbecoming a rational being.

Although Mr Burrowes never was a member of the Society of United Irishmen, his intimacy with Theobald Wolfe Tone, so excited the suspicion of the Lord Chancellor—Lord Clare—that it caused him to

\* "Memoir and Speeches of P. Burrowes, Esq.," p. 148, by W. Burrowes. This work has supplied valuable aid in the preparation of our memoir.

he passed over in promotions. Chief Baron O'Grady also believed that Mr Burrowes, at Tone's instance, corrected and revised the Declaration of the United Irishmen in Belfast. Tone, however, completely exculpated Mr Burrowes from the imputation in a letter addressed to the editor of "Faulkner's Journal" on 17th July 1793. Mr Burrowes also addressed a letter to the Lord Chancellor, complaining of the injustice with which he was treated, and, after some additional remonstrance, he received, through his friend Marcus Beresford, an intimation that the Chancellor did not continue to entertain an unfavourable opinion respecting him. This led, after a lapse of time—long enough delayed, however, to have seriously damaged his promotion—to his obtaining the rank of King's Counsel.

When the important question of the Union between Great Britain and Ireland was impending, Mr Burrowes was active in opposing its passing into law. At the bar-meeting, on the 9th of December, 1798, held in the exhibition room in William Street, he was one of the fourteen King's Counsel who signed the address against the Union. He was returned to the Irish House of Commons in 1799, as member for Enniscorthy, and he soon took active steps to avert the extinction of the Irish Parliament. His proposition was to appeal to the yeomanry corps, who, by their oath, were sworn to uphold the King, Lords, and Commons of Ireland, which, according to his argument, compelled them to oppose the Union. Mr Saurin and Mr Foster induced Mr Burrowes to abandon this proposal, which he ever afterwards considered as a fatal decision. The Union was carried despite the efforts of the patriot few, who refused the ministerial bribes. To the last he opposed the measure. On the debate in the last session of the Irish Parliament, when Sir Laurence Parsons moved an amendment, declaratory of the resolution of Parliament to preserve the constitution as established in 1782, and to support the freedom and independence of the nation, Mr Burrowes was an advocate for the rights of Ireland. The following tribute to his character is from the pen of Sir Jonah Barrington:—"Mr Peter Burrowes, a veteran advocate for the rights of Ireland, wherever and whenever he had the power of declaring himself, on this night made an able effort to uphold his principles. He was a gentleman of the bar who had many friends, and justly; nothing could be more ungracious than the manner, nothing much better than the matter, of his orations. His mind had ever been too independent to cringe, and his opinions too intractable for an arbitrary minister. On this night he formed a noble and distinguished contrast to those of his own profession who had sold themselves and the representation for a mess of pottage."

The notice of Mr Burrowes in the Irish Political Sketches, of Sir Jonah Barrington, is as follows:—†

"This gentleman has been for some years a King's Counsel, the reward of his distinguished merit at the bar. When at College, he was alike remarkable for the possession of great genius and application. At the time he was keeping his commons at the Temple, he was very punctual in his attendance upon the debating societies, where he was a

\* "Rise and Fall of the Irish Nation," p. 457.

† "Irish Political Characters," p. 275.

very constant, and always a very superior speaker. Garrow was often his opponent, but Mr Burrowes was infinitely his superior, both in eloquence and information." His voice was much against him, and although sufficiently audible, it was always distressing to see him, as he laboured very much in speaking; but his language made atonement for any difficulty of utterance. What came out with difficulty was worth the pains of travail, and, as generally happens in such cases, the value was enhanced by what it seemed to cost.

When the ministry, popularly known as "All the Talents," was formed by Lord Grenville, Charles James Fox procured for Mr Burrowes the office of First Counsel to the Irish Revenue Commissioners, which he held only from March 1806 to April 1807. This was a very lucrative office, but the income was fluctuating. On the change of Government, as the office was not a permanent one, Mr Burrowes was removed; but it was believed, had his political sentiments been of a more pliant nature, he would have been reappointed. However, this was not his character, and he communicated to a leading member of the Tory party that his opinions on the Catholic question were unaltered. It is not to be wondered at, that he possessed the confidence of the Catholic body, and, on the prosecution of the delegates in 1811, was their leading counsel. We may briefly recall, in its connection with this memoir, the state of the Catholics of Ireland at that period of our history. The atrocious penal code of the 18th century began to be relaxed in 1793. In that year, Lord Chancellor Earl of Clare framed the Convention Act, which forbade "the election or delegation to any assembly, for the purpose, or under pretence of presenting a petition to the Sovereign, or both or either of the Houses of Parliament, or in any other manner procuring alteration of the law." This act aimed at illegal associations, and lay reposing in the collection of statutes from the time of its becoming law, in 1793, until the year 1811. In this year, the Irish Catholics felt it was time to take more active steps to bring their great grievances before the Legislature than they hitherto had been able to do; and proceeded to elect a committee, consisting of eight members for each of the thirty-two counties. This excited the alarm of the Government. Mr Wellesly Pole, then Chief Secretary, wrote a circular letter to the sheriffs and magistrates throughout Ireland, calling on them to arrest any persons who posted notices of the appointment of such committee, or voted or acted as such. It was contended, on the part of the delegates, that this act could not apply to them, inasmuch as the Convention Act never abrogated the constitutional right of petitioning Parliament, and it was necessary the people should appoint proper persons to manage the petitions on their behalf. The leading Catholics of the kingdom resolved to meet despite the Secretary's circular, and Lord Fingal took the chair at a meeting in Dublin. Meanwhile, a privy counsel assembled at the Castle, and a proclamation against the intended meeting issued. The meeting, held in the Fishamble Street Theatre, was most numerously and respectably attended. The Earl of Fingal, Viscount Southwell, Lords Ffrench, Netterville, and others of high rank attended. When the meeting was yet sitting, Alderman Darley entered, and



informed the delegates he had instructions to disperse the meeting, and requested Lord Fingal, who was in the chair, to attend the Chief Secretary at the Castle; Lord Fingal refused to hold any private conversation with Mr Pole, and expressed his surprise that the Government imputed to him sanctioning any illegal meeting. The Lord Chief-Justice of the King's Bench (Lord Downes), issued a warrant, under which the Earl of Fingal and others of the Committee were arrested, and held to bail. One of the delegates, Dr Sheridan, was tried during Michaelmas Term, 1811, and Mr Burrowes was retained for the defence. It was of vital consequence to the Irish Catholics that the constitutional right of petitioning should be upheld, and, despite a hostile court, and a *selected* jury, the speech of Mr Burrowes was rewarded by the acquittal of his client. The other delegates then insisted on being brought to trial, expecting, naturally, the same result; but Mr Burrowes wisely counselled them against adopting this proceeding. The Attorney-General (Saurin) was willing to let the proceedings drop if the Committee did not meet; but they would not accept such terms, and in Hilary Term, 1812, Mr Kirwan was brought to trial. It is a notorious fact, that the jury were taken from a panel arranged by the Government officials, and though the same evidence on which Dr Sheridan was acquitted was produced in this case, Mr Kirwan was found guilty. The crown was satisfied, and a nominal fine inflicted; but the injury to the Catholic cause was very great, as it showed their infraction of the Convention Act.

Mr Burrowes, as already noticed, had a very peculiar style of speaking; his voice was very inharmonious, coming with an effort from the bottom of his chest, and his enunciation was indistinct; and this rendered his success in persuading a selected jury, as in Dr Sheridan's case, the more remarkable.

Mr Burrowes accepted the office of Commissioner of the Court for Relief of Insolvent Debtors, when that tribunal was established in Ireland in 1821. His brethren in the Leinster Circuit presented him with a farewell address and a piece of plate. Lord Plunket was always his firm friend; and on this occasion, when proposing his health, he thus spoke of his amiable disposition: "I know no man who has more to answer for; he has spent his life in doing acts of kindness to every human being but himself. He has been prodigal of his time, his trouble, and his fortune, to a degree that is quite inexcusable. In short, I know no way to account for such an anomaly but by supposing him utterly deficient of the instinct of selfishness."

His position, as Commissioner of the Insolvent Court, brought him in contact with many poor debtors, and numberless are the cases related of his generosity towards them. Yet, even this unstained character was not beyond the shaft of calumny. In 1833, charges implicating the court, its officers, and administration, were made, and a Government inquiry instituted. It was intrusted to Serjeant O'Loughlen, afterwards Master of the Rolls. His report was, "the charge failed signally in every particular." Mr Burrowes retired from this court upon a pension, in 1835.

His last appearance in public was in 1840, when he was in his

eighty-seventh year. This was at a meeting in the Adelphi Theatre, Dublin, to congratulate Earl Fortescue on his appointment as Lord Lieutenant, and he made a short but impressive speech. The Earl of Charlemont, who was in the chair, said he was highly gratified to see the veteran friend of Ireland coming forward with the same sentiments of liberty which rendered illustrious his long and honourable life.

His habits were very simple, and some instances are related of his childlike nature. Accustomed to shave before a small triangular looking-glass, he continued to do so where it had stood, long after it was broken and removed. His friend and brother Commissioner, Mr Parsons, once asked him for a loan of £20.

Mr Burrowes wrote back in reply,—

“MY DEAR PARSONS,—In reply to yours, I enclose you all the money in my possession—a £10 note. Yours ever,

“PETER BURROWES.”

The note, instead of being £10 was £50. Mr Parsons acknowledged it thus,—

“MY DEAR PETER,—I'm greatly obliged to you, and when I am able I'll repay you the £50. Yours truly,

“J. PARSONS.”

On an occasion, when changing his stockings, one could not be found. His servant, Donnelly, declared “he had placed the pair upon a chair,” and yet Mr Burrowes could find only one. The room was searched for it in vain. At last Donnelly said, “Do you know, sir, I'm thinking you put both stockings on the one foot?” Mr Burrowes examined his foot, and found he had done so. Latterly, Mr Burrowes resided in Leeson Street, near Stephen's Green, Dublin, where he used to walk, accompanied by his daughter. His sight failed him, and he went to London, where he consulted Dr Alexander, the oculist.

A severe cold terminated his blameless life in 1842—his eighty-ninth year; and his memory is held in reverence as, in his peculiar character and disposition, and in some respects, in his intellectual qualities, the Goldsmith of the Irish bar.

#### CHIEF-BARON O'GRADY.

BORN 1766—DIED 1840.

STANDISH O'GRADY, Viscount Guillamore, and for many years Chief Baron of the Court of Exchequer in Ireland, was born in the county Limerick in the year 1766. His father, Mr Darby O'Grady, was a gentleman of respectable position residing at a place called Mount Prospect, in that county, and filled the office of High Sheriff. He married Mary, daughter of Mr James Smyth, by whom he had a numerous family.

Standish, the eldest son, showed considerable ability from his youth, and was early destined for the bar. His great legal acquirements soon

obtained for him promotion and, in 1803, when the insurrection of Robert Emmet occasioned the death of the humane and lamented Lord Kilwarden, and consequent elevation of William Downes, Attorney-General to the vacant seat, Standish O'Grady was appointed Attorney-General. He did not long continue first law officer of the crown. Barry Yelverton, Lord Avonmore, Chief Baron of the Exchequer, was disposed to retire, and this being carried into effect on the 5th of October 1805, Standish O'Grady left the anxiety of the bar for the certainty of the bench. He took his seat as Chief Baron of the Exchequer, and for twenty-six years presided in that Court, displaying considerable legal ability, and being especially remarkable for dry humour. He was fond of joking; his jests were pointed, and often hit hard. Some one remarked to him "that Lord Castlereagh had made a fine character for himself on a certain political occasion."

"Troth then," the Chief Baron observed, "if he has, he'll soon spend it like a gentleman."

The caustic humour of the Chief Baron was displayed during the Kerry Assizes, when the noise in the Tralee Court-House rose to a high pitch. O'Grady appeared not to notice it, waiting for the High Sheriff, Mr Denny, to restore order. As that official was calmly reading in his box, and took no notice of the riot, the Chief Baron called to him from the bench—

"Mr Sheriff, I just give you a friendly hint. I'm afraid if this noise goes on much longer, it will prevent you from reading your novel in peace."

When an inexperienced barrister was engaged for the defence of a prisoner capitally indicted, and the prosecution failed to bring a clear case against the party accused, the Chief Baron had some difficulty in restraining the advocate, who thought the opportunity to show off should not be neglected. He accordingly resolved to make a speech, which might supply the absence of evidence, and was just beginning when the Chief Baron cut him short with—

"Oh, Mr ———, I'll listen to you with the greatest pleasure, *after I have taken the verdict of the Jury first.*"

He tried a batch of prisoners at the Tralee Assizes, and the similarity of the names of the parties indicted, to those composing the jury, struck him very forcibly. He knew that Kerry cousins carry their clan feelings very far, so he determined to remind them that he knew the bias which possibly might invade the sanctity of the jury box. Accordingly he began his charge:

"Gentlemen of the Jury. Of course you'll acquit *your own relations.*"

His charge, on another occasion, was equally significant. A boy was indicted for larceny of a pair of trousers. The case was clearly proved, yet a witness to character strongly insisted on the boy's habitual honesty. The Chief Baron addressing the Jury said—"Gentlemen, this is an honest boy, *but he stole the breeches.*" The Jury being of the same opinion, found a verdict of guilty.

On deciding the case of *Joyce v. Steele*, reported in the "Irish Law Recorder," Vol. I. p. 56, when the plaintiff, having accepted a

qualified covenant, was held bound by his contract. Chief-Baron O'Grady said,—“The very moment I heard this case mentioned, I said an action could not be supported. I was startled at its novelty; but I was told that torts were various, and when a new case arose, I should not shrink from establishing a precedent. I admit I should not shrink from applying old established principles to a new set of facts, to *new* circumstances whenever they should arise; but are the present circumstances new? I will venture to say that such circumstances have continually been occurring since the days of Alfred. A tenant is unable to pay his rent, and is ejected; and then he is (we are told) not only to bear the loss of his own interest in the lands, but also be answerable in an action to his under tenant, and that in the teeth of the qualified covenant, contained in the deed creating the contract of the parties. Solomon was a wise man, and Samson was a strong man; but I will venture to say, *neither of them could pay their rent if they had not the money.*”

The judgments of the Lord Chief-Baron show a clear head and great legal knowledge. It was a loss to the Irish Bar, that during many of the years when he presided at the Exchequer Bench there were no regular Law Reports. The consequence is, few of his decisions are preserved.

By patent, dated 30th January 1831, the Chief-Baron was created a peer by the title of Viscount Guillamme of Caher Guillamme, in the county of Limerick, and Baron O'Grady of Rockbarton in the peerage of Ireland. He had married in 1790, Katherine, second daughter of John Thomas Waller, Esq., of Castletown, Co. Limerick, and had had a numerous family. His Lordship died 21st April 1840.

## VISCOUNT BERESFORD.

BORN 1768—DIED 1854.

THE Right Hon. William Carr Beresford, Lord Viscount Beresford, G.C.B., G.C.S., K.T.S., K.S.H., Colonel-in-chief of the 60th Foot, Colonel of the 16th Foot, Governor of Jersey, Duke of Elvas, and Marquis of Campo-Mayor in Spain, Count of Trancoso in Portugal, and a Field-Marshal of Portugal, and Captain-General of Spain, was the elder of two natural sons of George de la Poer Beresford, first Marquis of Waterford, the other being the late Admiral Sir John P. Beresford. He was born October 2, 1768, and, after completing his military studies at Strasburg, he entered the army in August 1785, as ensign in the 6th Foot, and early in the following year joined that regiment at Nova Scotia, where he served the first four years of his military life. His first active service was in 1793, as captain of the 69th Foot, when this regiment formed part of the army which took possession of Toulon. On that occasion he honourably distinguished himself, his services gaining him the praise and approbation of General Lord Musgrave, who commanded the British troops. He next proceeded to Corsica, and was present at the siege of Calvi, at Bastia, and the attack on the celebrated Tower of Martello at St Fiorenza. In the month of March 1794, he was



promoted to the rank of major, and to that of lieutenant-colonel on the 11th of August following. In that year he sailed in command of the 88th Foot, under Sir Ralph Abercromby, for the West Indies, but being recalled, he remained on home service till the year 1799, when he was ordered to the East Indies; and from thence, soon after his arrival, to Egypt, where he commanded a brigade in Sir David Baird's army. After the Egyptian campaign was concluded, he remained in Egypt as commandant of Alexandria, till its evacuation, when he returned to England, and in the year 1800 received the brevet rank of colonel. After some service in Ireland against the few remaining rebels who still held out, Colonel Beresford proceeded, in 1805, to the Cape of Good Hope, and took a distinguished part in the reconquest of that colony. From thence he was sent, with the rank of brigadier-general, in command of a small force against Buenos Ayres, which he took; but though gaining some successes in the open field, he was eventually obliged to capitulate after three days' desperate fighting in the towns. The force under General Beresford's command amounted to only 1200 men, while that of the enemy amounted to between 10,000 and 12,000. Having been detained a prisoner for six months, he effected his escape in the year 1807, and returned to England. In the winter of the same year he was sent to Madeira, with the rank of brigadier-general, and, in conjunction with Admiral Hood, seized upon the island, which was thenceforth held by the British in trust for the Royal House of Braganza. He remained, in the offices of governor and commander-in-chief, at Madeira till the month of August 1808, when he was ordered to join the British army in Portugal, where he arrived shortly after the battle of Vimiera, and was employed as a commissioner to adjust the terms of the notorious convention of Cintra. He then accompanied Sir John Moore into Spain, and was present at the battle of Corunna, where he rendered effective assistance during the embarkation of the troops. Returning to England, he received the rank of major-general. In February 1809, he proceeded again to Portugal, to take the command of the Portuguese troops, with the local rank of lieutenant-general; and on the 1st of March 1809, the rank of marshal-commanding was conferred upon him. Placing himself, as soon as possible, at the head of 12,000 men, he drove the French from the north of Portugal, and crossing the Upper Douro, he repulsed Loison's division, and uniting his Portuguese troops with the British force under Sir Arthur Wellesley, they vigorously pursued the retreating enemy, and in a short time effected the total disorganisation of that division of the French.

When Marshal Beresford took the command of the Portuguese army, he found that he had before him a task of extraordinary difficulty and importance. The British generals had lost all confidence in their allies, and were beginning to contemplate the issue of the struggle with feelings of doubt, if not of despair. The Portuguese army appeared to be in an utterly hopeless condition, dead to all sentiments of patriotism, and every sense of military honour, being little better than a weak and disorderly rabble when Beresford applied himself to the work of reorganisation. How admirably he succeeded in that work is now a part of the history of the Peninsular War, and the results which his zeal and ability in an incredibly short time had accomplished

excited the surprise and admiration of all the nations of Europe. Some of the first fruits of his arduous labours were seen at the battle of Busaco, where the admirable behaviour of the Portuguese restored the confidence of the British army. Beresford, for his services at Busaco, was created a Knight of the Bath on the 18th of October 1810.

During the remainder of the Peninsular War he was repeatedly engaged. On the sanguinary field of Albuera he defeated Soult, with a loss, however, of nearly 7000 of his own troops. The French suffered still more severely. His generalship at the battle of Albuera has been much criticised; but, considering the high reputation of Soult, and the numerical superiority of the French, the thanks of Parliament seem not to have been undeservedly bestowed, when on the 7th of June they were voted "To Sir William Beresford, and to the army under his command, for the glorious battle of Albuera."

During his absence in the Peninsula he was returned to Parliament for the county of Waterford in 1811, and for the borough in 1812, but his duties elsewhere prevented him from ever taking any part in the proceedings of the House of Commons.

He was also present at the assault of Badajoz, where his conduct gained the marked approbation of the Duke of Wellington, as well as at Salamanca, where he was severely wounded, at Vittoria, the Pyrenees, Nivelle, and at the Nive. Early in 1814 he contributed much to the victory of Orthes, took possession of Bordeaux, and afterwards bore a distinguished part in the battle of Toulouse. In the course of the same year he was raised to the peerage, by the title of Baron Beresford, with a Parliamentary grant of L.2000 per annum for himself, and the two next inheritors of the title. The City of London also presented him with a valuable sword; and in July 1815 he received the personal congratulations of the Prince Regent, who bestowed on him a cross and seven clasps for the battles and sieges of Corunna, Busaco, Albuera, Badajoz, Salamanca, Vittoria, Pyrenees, Nivelle, Nive, Orthes, and Toulouse. The governorship of Jersey was also conferred upon him; and in the year 1822 he received the appointment of lieutenant-general of the Ordnance, and the command of the 16th Foot. In 1823 he was advanced in the peerage to a viscountcy. In 1825 he became a general in the army, and on the accession of the Duke of Wellington to office in 1828, he was appointed master-general of the Ordnance, which post he resigned on the return of the Whigs to power in November 1830. From this period he took no part in public affairs.

In November 1832, Lord Beresford married his cousin, the Hon. Louisa Beresford, daughter of William, first Lord Decies, Archbishop of Tuam, and widow of Mr Thomas Hope of Deepdene (Surrey), of the wealthy house of Hope of Amsterdam, and author of "Anastasia." After the death of his wife, in 1851, Viscount Beresford lived in retirement at his country seat, Bedgbury Park, Kent, where he expired on the 8th of January 1854. There having been no issue, his title and pension became extinct. He bequeathed his English estates to his stepson, Mr A. J. Beresford Hope; those in Ireland to Captain Denis William Pack, R.A., the son of his old companion in arms, Sir Denis Pack, on condition of his taking the name and arms of Beresford.

## BARON PENNEFATHER.

BORN 1773—DIED 1859.

Few names are more distinguished in Irish legal circles than Pennefather. Sir Bernard Burke found it in the "Doomsday Book" as Penefador, but it does not appear among Irish records until 1666, when Matthew Pennefather, a cornet of dragoons, acquired lands and tenements in the county of Tipperary. Here the Pennefathers lived and died, and here a descendant of the first settler of the name, who belonged to the same branch of the service as his ancestor, married Ellinor, eldest daughter of the Archdeacon of Emly, the Ven. Edward Moore, D.D., of Mooresfort. These were the parents of two most distinguished members of the bar of Ireland, Richard and Edward. The former was born in the year 1773. The two brothers were brought up, partly in their native county, and partly in the Irish capital, where their father resided during the sessions of Parliament, in which he was member for the family borough of Cashel. They received their primary education at Portarlinton, where a celebrated school, conducted by French Huguenots, attracted many scholars, and also at the endowed school of Clonmel. They entered Trinity College, Dublin, in 1790, and Richard obtained an *optime* in his class, a rare honour which was seldom conferred, as it marked extraordinary merit. Both brothers cultivated rhetoric, and took part in the debates of the famed Historical Society, where Robert Holmes, the Emmets, Lefroy, and others sustained the renown which Plunket, Bushe, and earlier, Grattan and Burke, had obtained for it.

The brothers, though both were successful in debate, gained success by different means. Richard's intellect was considered by their friends as displaying more cleverness and depth than his brother; while Edward's shone with more brilliancy and richness of imagination. The speeches of Richard were solid, compact, logical arguments; those of Edward, rare specimens of chaste and diffuse eloquence. One convinced the head, the other captivated the heart. Both selected the law as a profession, and mastered its principles with patient and untiring industry. They were called to the bar in 1795.

Richard Pennefather selected the Munster circuit, comprising the counties of Clare, Limerick, Kerry, and Cork, and had as his contemporaries many very eminent lawyers. It is enough to name O'Connell, Harry Deane Grady, Serjeant Gould, Recorder Waggett, and Charles Burton, to prove this; yet he was equal to any of them. His acute mind soon discovered where the weak points in his adversaries' armour lay, and his logical lance showed the skilful legal tilter.

A large practice on circuit is sure to create a larger practice in the Four Courts, and during the earlier years of the present century few members of the bar carried a fuller bag than Richard Pennefather.

In 1820 he was in the first rank at the bar, and, as at the close of that year Baron George resigned the bench upon a pension of £2600 per annum, the Lord-Lieutenant, Earl Talbot, caused an intimation to

be made to Mr Pennefather that the vacant seat on the bench of the Exchequer awaited his acceptance. He was then comparatively a young man, under fifty, and might have taken his chance of higher preferment. But Mr Pennefather did not hesitate to accept the offer, and thus relates the fact. We gladly give the extract,\* for it shows what a true and humble Christian was this prosperous and busy lawyer:—“On the 12th February, 1821, I received a letter from Mr Gregory, under-secretary to the Lord-Lieutenant, Earl Talbot (the chief secretary, Mr Grant, being in England), stating his Majesty's letter for appointing me to fill the place of one of the barons of the Exchequer had arrived at the castle. The patent for my appointment was very speedily made out, and I was sworn into office on the 14th of February, being the second of the eight days after Hilary Term, at the Chancellor's house, and on the same day I took my seat on the bench. On the 15th the Lord-Lieutenant held a levee at the castle, which I attended as a baron, and was very graciously received. Thus concluding, through God's mercy, a very prosperous bar life, in my 48th year, and through the same divine mercy, in which I put my trust, do I humbly hope to acquit myself in the arduous and trying situation in which I am now placed, as may become a lawyer, a judge, and a Christian.”

How well he did so the Records of the Court of Exchequer, during the thirty-eight years he sat upon its bench, fully show. He witnessed many changes. One side of the Court (the Equity side) was abolished. Five chief barons, O'Grady, Joy, Wolfe, Brady, and Pigot, experienced the benefit of his valuable co-operation and assistance. Many generations of practitioners transacted business before him. Counsel rose, flourished, and passed away, but the great legal mind of Baron Pennefather seemed impervious to time or change. All cases, whether at law or in equity, found him equally ready to deal with them. If he was sitting *in banco* at the Four Courts, or alone, hearing motions, on circuit or in chamber, he was always prompt, clear, and accurate. His demeanour on the bench was worthy of imitation. He listened to counsel's statements or arguments with patient attention, and never expressed any decision until both sides had completely closed. He knew no distinction between political friends and foes, and was equally courteous to all, whether barristers or attorneys. He was beloved by the practitioners belonging to the several branches of the law. He reminded one of Sir Edward Coke's “able and reverend expositor of our laws, who prideth himself less in fine conceits than in sound discernment and gravity of manners.” It would, of course, be impossible to mention here a tithe of the important cases decided before Baron Pennefather. He was often employed on special commissions, when the state of the country required such to issue, and on those occasions he always tempered justice with mercy. The judgments of the Baron will be found in the several volumes of the “Irish Law Recorder,” the “Irish Term Reports,” the “Irish Exchequer Reports,” and “Irish Law and Equity Reports.” This excellent man and distinguished judge continued to preside during terms and circuits until the close of Hilary

\* See the “Dublin University Magazine,” vol. liv. p. 534.



Term 1859, when his failing health admonished him to retire. He was succeeded by Mr Travers Fitzgerald, Q.C., one who, in legal attainments, cautious manner, and judicial disposition, was worthy to be his successor. Of course, such a man as Baron Pennefather was not suffered to leave the bench he so long occupied without a suitable address. It was engrossed on parchment, and signed by four hundred and seventy-two members of the bar.

The library of the Four Courts, Dublin, presented a crowded array on the 10th of January 1859, when the farewell address of the bar was presented to the Baron. He was there, apparently in good health, and likely to live many years. Amid warm greetings from many an old friend, and hearty cheers from many a young admirer, the venerable judge appeared for the last time in an assembly of the bar of Ireland. Sir Thomas Staples, Bart., the father of the bar, called in 1802, himself almost an octogenarian, who had sat in the Irish Parliament, read the address in a clear and distinct tone of voice. It referred in appropriate terms to the Baron's long and honourable judicial career.

When the address was read, the Baron expressed his fears "that his voice would not be fully equal to the compass of that large room, and hoped his brethren of the bar would allow his son, who delayed his departure, in order to be present on that gratifying occasion, to read his reply." This, of course, was promptly acceded to, and accordingly the Rev. Mr Pennefather read the Baron's touching and grateful reply. That assembly of the young and ambitious around the old Baron might have reminded one of the divine precept, "Thou shalt rise up before the hoary head, and honour the face of the old man." It was the crowning of his life on earth. He died before the close of the year 1859. His learning survives in the Law and Equity Reports, and his memory will long be revered in the Court wherein he delivered his judgments.

#### CHIEF-JUSTICE PENNEFATHER.

BORN 1774—DIED 1847.

The Right Hon. Edward Pennefather was the younger of the two children of Major Pennefather of the 13th Light Dragoons, afterwards of Knockevan, in the county of Tipperary, and previous to the Union member for the city of Cashel. Major Pennefather was the younger son of Mr Pennefather of New Park, in the county of Tipperary.

The elder of the two brothers, Richard, the subject of the previous memoir, was for many years one of the Barons of the Exchequer in Ireland. There were only fourteen months between their ages: Edward was born on 22d October 1774. They went to the same school the same day, entered Trinity College, Dublin, together, and were called to the bar at the same time, in Michaelmas Term 1795. They both were boys of diligence and much promise at school. At their entrance into Trinity College, they were placed in the same division; but, as both were candidates of equal merit for the same honours, the College authorities thought it right to separate them, and place the

younger brother in another division. Each then carried all before him in his own class.

Dublin before the Union, with the members of both Houses of Parliament resident in it, was tenanted in a different way from what it has since been; and the two young men while in college mixed largely in the society of the capital. This did not prevent the assiduous pursuit of their studies; at six o'clock on the morning after each examination, they were hard at work for the next.

They studied steadily when at the Temple, spending each of the short vacations at Bath or Tunbridge Wells, where they worked from early in the morning till between one and two o'clock, the rest of the day being devoted to recreation and amusement.

After his call to the bar, Mr Pennefather soon gained opportunities of distinguishing himself; the light of his university reputation, and his debating powers in the Historical Society, made the way plain before the young barrister. He did not depend merely on that quicksand foundation for a lawyer to build upon, ability of expression, but was master of every branch of the law, specially of chancery. He had perhaps no superior except Plunket in this branch, and in the knowledge of the laws of real property he was unrivalled. It was perhaps no disadvantage to Mr Edward Pennefather that his brother had chosen the same path in life; it never caused jealousy or collision between them, although they often met on opposite sides of a case, with various fortunes. It was remarked, that the public "seemed to relish this brotherly contest, and always in such cases, as Mr Richard Pennefather sat down, listened with more than ordinary interest, when his brother Edward was seen rising in reply."\* The same writer thus describes his appearance in Court:—"In Court, his language and appearance bespeak the scholar and the gentleman. His forehead is smooth and open, yet somewhat over anxious; his expressive and intelligent countenance indicates deep meditation, but seems to say that all is peace within; his manner is artless and candid, his deportment erect and independent. When he commences his address, your attention is at once arrested; you perceive at a glance that he is master of his subject, and feels himself to be so; with perfect self-possession, he details the numerous and complicated facts of a chancery case—unfolds with ease and applies with judgment arguments the most intricate, and principles the most abstruse, and deduces his inferences with unrivalled clearness. While listening to him, I have frequently imagined myself acquainted with the *simple* doctrines of equity—of which, thank Heaven! I am still in a state of happy ignorance; to me everything seemed clear and convincing, nor could I help all the while admiring his prepossessing earnestness and his graceful action; he has hit the happy medium between vehemence and tameness; besides, he never attempts to stagger you with far-fetched phrases; his words are selected with exact taste. If he be fluent, he is not prolix; and if the primary rule of all rational eloquence be to speak suitably to the occasion, then is Mr Edward Pennefather an accomplished orator. When in the habit of practising at *Nisi Prius*, he was equally successful;

\* Dublin University Magazine 1830.

he never departed from his usual chaste and manly style, to indulge in irrelevant comment or feeble declamation, but applied himself to the more sensible purpose of explaining the principles of law applicable to his case, and giving to the jury a luminous exposition of facts, be they ever so interesting and perplexing. It was, moreover, an honourable peculiarity in his behaviour, that while maintaining the interests of his client with ability and zeal, he never took an unworthy advantage of his situation to utter an expression unnecessarily hurtful to the feelings of a witness, or forgot for an instant that the surest way to preserve his own dignity was to avoid infringing the bounds of propriety and politeness towards others."

Mr Edward Pennefather was early promoted to be a king's counsel; it is said that his further elevation was delayed by his refusing to preside over a commission appointed under the Insurrection Act. It was greatly in his favour that, in a country where barristers look for promotion to east, west, and south, rather than to their own honest work in their proper profession, Mr Pennefather, like Lord Plunket in his earlier bar life, eschewed politics, and refused in anywise to embarrass his hands, which were generally well filled with briefs, with any extraneous business. The following circumstances show, however, that Mr Pennefather was not an indifferentist in politics.\*

On coming into office, Lord Grey wrote to Mr Pennefather, offering him the place of Attorney-General. He replied, declining, but not assigning any reason. Lord Grey wrote in reply, to say that he presumed the refusal was on the ground that Mr Pennefather would not go into Parliament, and that that should be no impediment, as it could be arranged that the Solicitor-General should be the law officer for Ireland in the House of Commons. Mr Pennefather answered that, although he would not go into Parliament, there were other reasons for his declining the office which were not then necessary to enter upon. Lord Anglesea (the newly appointed Lord-Lieutenant) then wrote to say that he had seen Lord Grey, who had shown him this letter, and that Lord Grey had given him so wide an authority in the matter that he had no doubt on his arrival in Ireland he would be able to remove all objections, and he requested him to wait till there was a personal communication. In the meantime Mr O'Loughlen (afterwards Sir Michael, Master of the Rolls) called on Mr Pennefather, and stated that he waited on him on behalf of the Roman Catholic party, who had heard he was hesitating as to accepting the office, assuring him that his appointment was very acceptable to them, and urging him not to refuse. Mr Pennefather thanked him, but said it was not his intention to accept. On the day of Lord Anglesea's arrival in Dublin, he sent to request him to go to the castle. Thither he went. Lord Anglesea told him he trusted he was in a position to remove every objection. Mr Pennefather replied that he considered a government should have an Attorney-General who would cordially co-operate in its policy; that he felt he was not in that position; that he had been surprised at the offer being made to him, as it was well known his political principles

\* We must acknowledge our great indebtedness to Mr Edward Pennefather, Q.C., for the valuable assistance he has furnished in the preparation of his father's memoir.

differed from those of Lord Grey's Government. Among other things, he said he had signed the petition from the bar of Ireland against the Catholic claims. Lord Anglesea expressed his astonishment at this, as he said that O'Connell had expressed to the Government his desire that Mr Pennefather should be appointed Attorney-General. Mr Pennefather told him that no one was better aware of the fact than O'Connell himself, as they had spoken together on the subject. Finding that the lawyer persisted in his refusal, Lord Anglesea stated that he was placed in a difficulty, inasmuch as when he parted from Lord Grey, he left him under the impression that all matters would be smoothed, and that he would be able to apprise Lord Grey the appointment had been accepted; and in full expectation of this, neither Lord Grey nor Lord Anglesea had made any further provision for filling the office; that he was quite at a loss to know who should be appointed; and that in the then state of affairs, the place must be filled without delay; that he did not know to whom to turn, and he begged Mr Pennefather to name the person he thought best fitted for the post. This he declined to do, but as he saw the difficulty in which the Government was placed, he said he would name three men at the bar, any one of whom, if he accepted the office, would fill it with ability. Among these three names was that of Mr Blackburne, who was immediately sent for, and who at once accepted.

When Sir R. Peel came into office in 1835, Mr Pennefather had again the proffer of office; and he was apprised that he would be appointed Attorney-General if he claimed the position; but it was intimated to him that Government was desirous of securing the services of Mr Blackburne, and that there was a difficulty in asking him to fill the inferior post of Solicitor-General as he had served as Attorney-General. Mr Pennefather removed the obstacle by accepting the office of Solicitor-General.

Shortly afterwards O'Connell, at a public meeting in Dublin, made a speech attacking the Government and its appointments with great virulence. When he came to this appointment he said, "What shall I say of Edward Pennefather? All I shall say is, he refused to be Attorney-General for the Whigs, but condescended to be Solicitor-General of the Tories."

In the summer of 1841, when Sir Robert Peel again took office, as Mr Pennefather was just setting out with some of his family to the Continent, he received a letter from Sir R. Peel requesting him to call on him on his arrival in London. He accordingly called at Whitehall Gardens.

Sir Robert Peel was then forming his ministry, and expressed his great regret that he could not at that time offer him the Lord-Chancellorship of Ireland. He wished, and had intended to do so, but Sir E. Sugden had put forward a claim to it, which he did not feel he could resist. But before the matter was finally settled, difficulties arose—not necessary here to mention—about his going over to Ireland. He had not, however, withdrawn his claim, but had requested Sir R. Peel to suspend the appointment for a little time, and he had felt that he could not refuse to do so.

Sir Robert told Mr Pennefather that in this state of things he was



very anxious that he should defer leaving the country ; and as the matter was pending, and Sir Edward Sugden in much uncertainty, it would be desirable he should see him if possible daily until the question was settled. Mr Pennefather acquiesced in this, and accepted an invitation to a country house about ten miles from London, where his sons were also staying. According to Sir Robert Peel's request, he came to town on two or three occasions. One morning, while he was reading classics with one of his younger sons, an express messenger arrived with a letter from Sir R. Peel, requesting him to call upon him in town ; and on his arriving at Whitehall Gardens, Sir Robert expressed his great regret at not having seen him the day before, as Sir E. Sugden had on the morning of that day resolved not to take the office, and had communicated his decision to Sir Robert, so as to leave the appointment at his disposal for a considerable portion of the day, but in the evening had written to accept it, so that it was no longer in Sir Robert's power to offer it.

Mr Pennefather told him that it was not a matter of much moment to him, as Sir Robert was well aware that he had not made any application for that or any other office. Sir Robert expressed his sense of the frank manner he had shown throughout the whole transaction, and said he felt he might speak with some freedom to him on another matter connected with the Irish arrangements in which he was in some difficulty. He then stated his desire to secure the services of Mr Blackburne, but that inasmuch as he had filled the office of Attorney-General, he did not see his way to offer him the subordinate place of Solicitor-General. Mr Pennefather replied that there need not be any difficulty, as the office of Attorney-General was no object to him. Whereupon Sir Robert asked him if he would serve as Solicitor-General. Mr Pennefather replied that if it would facilitate Sir R. Peel's arrangements as regarded Ireland he was willing to do so, provided that his acceptance would not interfere with his tour abroad, as rest and change were necessary for him. Sir R. Peel expressed his obligations in a cordial manner, acceded to his wish, and apprised him that the acceptance of the office of Solicitor-General in no way prejudiced the claims which Sir Robert considered he had on the Government, and not the less for the course he had taken on the present occasion. After this interview he returned to the country, and in a day or two after started for the Continent.

During his absence abroad in the autumn of 1841, Bushe, the Chief-Justice of Ireland, resigned his seat on the bench, and Sir R. Peel proffered the office to Mr Pennefather ; he accepted and held it till 1846, when he was compelled by a long and severe attack of gout to resign.

While he was Chief-Justice the now celebrated trial at the bar of O'Connell and others came on in the Queen's Bench. The judgment was reversed in the House of Lords.

The illness which obliged him to resign proved his last. On the 6th of September 1847 he passed away, surrounded by all his family, except one of his daughters, after an amount of suffering which was equalled only by the unruffled patience with which it was borne.

Chief-Justice Pennefather was always strongly in favour of scrip-

tural education, as well as a liberal supporter of it, considering an open Bible the birthright of every one born in a Christian land. He did not, perhaps, take into account the necessity of an authoritative interpreter to accompany it on its mission to those less lucid and judicial than himself. He it was who first suggested, in order to get rid of the tithe agitation, and to give more security to the clergy for their incomes, that the proprietors, and not the occupiers of land should be liable to the payment of the tithe, and that the proprietors should be entitled to make a deduction from the tithe in consequence of the liability to be thrown on them. This was, in fact, taxing the people indirectly instead of directly, but it achieved the great object of settling the question and restoring peace and goodwill.

Mr Pennefather's life was one of great labour, but he had the satisfaction of "eating of the labours of his hands;" and as a younger son of a younger brother, "if he had not lands by birth, he acquired them by wit."

During the sitting of the Courts when at the bar, a little after four o'clock in the morning, winter and summer, found him in his study; this enabled him to pass a great portion of the evening with his family, when he heartily joined in whatever engaged their interest. He was blessed with a wife of great talent and cultivation, and no doubt this in no small degree added to the enjoyment of his hours of recreation. His spirits were cheerful and even, and his temper singularly calm. With great dispatch of business, he never appeared hurried; and without being rigid in requiring punctuality from others, he was invariably punctual himself. He was a very good artist,\* and greatly enjoyed drawing in pencil and water colours. He always travelled with a sketch book, and being fond of reading, especially history and biography, he was never unoccupied. He was, in body as well as in mind, till towards the close of life, very active when free from gout; he was a good rider and a good shot; and in the vacations used to appear on horseback in leather breeches and top boots long after they had disappeared except in the hunting field.

He had a family of ten children, to each of whom he was as if he had but one. He ruled by example much more than precept, and the result was the devotion of one and all to him. With his two elder sons (the two others being several years younger) he was on the terms more of a brother than a father; their intercourse was ever of the most unreserved kind.

He suffered at times and occasionally for long periods from severe attacks of an hereditary disease—gout in its worst forms. The attacks

\* Mr Pennefather was leading counsel for the defendant in a heavy case in the Court of Chancery; during the statement of the case by the leading counsel for the plaintiff, he made a drawing in the fold of his brief. The defendant was entirely successful. A day or two after, Mr Pennefather received a letter from the solicitor of the defendant, accompanied by a box containing a very handsome pencil case; the letter expressed the obligations the solicitor was under for Mr Pennefather's advocacy, and added that it was not till the solicitor had returned to his office, he found, that besides the success in the suit, he was in possession of a pen and ink sketch, the merit of which he was astonished at, and of which he was very glad to find himself the owner, and requested Mr Pennefather's acceptance of the pencil case.

of this disorder he bore with exemplary patience; his habit when the fit came on, which was always suddenly, was to send away his briefs; and when this was done, no one would have supposed that law had ever engaged his mind; one who used frequently to see him when so laid by, said that when he saw him Sir Thomas More was always brought to his remembrance.

Although so actively engaged in his profession, he sat very loose to it. When one of his sons was threatened with pulmonary disease he accompanied him in the autumn of 1832 to the Isle of Wight, where, with the exception of returning to Ireland for some cases in which he was specially retained in different assize towns, he remained with him and some members of his family till the latter end of the summer of 1833. These breaks in his professional life did not interfere with his position at the bar, for each time immediately on his return to it he was ever as fully occupied as if he had never left it—a very unusual occurrence.

He took a decided, but never an active part in political life. He was repeatedly pressed to go into Parliament, and was offered seats in different boroughs previous to the passing of the Reform Bill, in days when the nomination of the proprietor secured the return of the member.

Previous to the passing of the Act of Union he was strongly opposed to it. Very shortly before the Act passed, the Government was very desirous to secure votes. Mr Pennefather happened to be passing down Dawson Street in Dublin when the carriage of Mr Marsden, the under-secretary, was passing by; it was suddenly stopped, and he was asked to get in, when Marsden told him of the position of Government, reminded him that he was a young man in his profession, that Government was very anxious to pass the Act, and that if Mr Pennefather could succeed in securing the votes of one or two members with whom he was connected (Major Pennefather was then member for Cashel, the borough belonging to the Pennefather family up to the passing of the Reform Bill), his speedy promotion in his profession would be assured to him. Mr Pennefather replied that he had mistaken his man, that he was against the Union, and would do all in his power to prevent it; upon which Marsden pulled the check string, stopped the carriage, and said he need not further occupy his time. Before the Act passed, Mr Pennefather considered nothing could be more disastrous to the country than its passing—after it had passed, nothing more disastrous than its repeal; and in that opinion he remained firm to the last.

He was in favour of emancipation all his life till the year 1828, and his opinion on this subject gave offence to Mr Saurin, long the Attorney-General for Ireland, a great personal friend of Mr Pennefather. Shortly before the passing of the Emancipation Act, he read much on the subject, and the result was he changed his opinion, and he signed the petition of the bar of Ireland against the Catholic claims. His name, I believe, headed the signatures. After the passing of the Act, O'Connell was given a patent of precedence next after him.

Mr Pennefather was, as we have said, early appointed king's counsel. He was created third Serjeant, 3d August 1830; advanced to be

second Serjeant, 18th July 1831; and became first Serjeant, February 1832. He was appointed Solicitor-General, 27th January 1835; re-appointed Solicitor-General, August 1841; and created Chief-Justice in October 1841.

He was long the leader of the Leinster circuit, which he gave up in 1818, but he was very frequently engaged as special counsel on the different circuits in Ireland.

His charity was very liberal, and equally unostentatious. With all the work he had to do, though often the demands on his time were most urgent, yet he never did any sort of business on Sunday. That day was entirely devoted to the purposes for which it was set apart.

## CHIEF-JUSTICE LEFROY.

BORN 1776.—DIED 1869.

THOMAS LANGLOIS LEFROY, eldest son of Lieutenant-Colonel Anthony Lefroy, was born in the county of Limerick on the 8th January 1776. His family, as may be surmised from the name, was of French extraction, being among those Huguenots who preferred their religious liberty to country and property. His ancestor, Antoine Loffroy, as the name was formerly written, sought refuge in England in 1569, and the descendant of the refugee, Colonel Lefroy, having purchased land in Limerick, settled in that part of Ireland. Here his son Thomas was born, and must have advanced rapidly in his classical education, for he entered Trinity College, Dublin, at the early age of fourteen. He was a pupil of the celebrated Dr Burrowes, afterwards Dean of Cork, more famed for his song "The Night before Larry was stretched" (*Anglice*, hanged), than for his attainments in divinity. The Dean took such a liking to young Lefroy, that he received him into his family circle, and treated him with an affection which was fully reciprocated by the young student. Mr Langlois, young Lefroy's grand-uncle, was desirous that the youth should be called to the English bar, and promised Colonel Lefroy, if he consented to this arrangement, to use his interest to place him in Parliament. Colonel Lefroy, however, notwithstanding this tempting offer, resolved his son should remain in the land of his birth. Young Lefroy's university career gave promise of great excellence. It was suggested, indeed, that he should read for a fellowship. At the class examinations, then held quarterly, he obtained the highest prize in each year, also a moderatorship, and gold medal. He was a member of the College Historical Society, of which he was auditor at the age of nineteen, when he delivered the opening address for the session of 1795. While connected with the Society, he obtained no less than four medals—three for oratory, and one for history—a strong proof of his superiority in youth's mimic warfare.

While a student of the University, and keeping his terms as a law student, Mr Lefroy seems to have meditated the important step of taking a wife. He had formed a close intimacy with the family of Mr Paul, of Silverspring, County Wexford, and won the affections of



his only daughter Jane, whom he married, in 1799, at Abergavenny, North Wales. Mr Lefroy had been previously, in Easter Term 1797, called to the Irish bar, but did not commence attending the Courts as a practising barrister till the year 1800. Few lawyers ever commenced to practise more fully prepared. He possessed not only a sound knowledge of legal principles, but considerable acquaintance with practical details. As a student of Lincoln's Inn, he daily attended the Courts at Westminster, and the judgments of the Lord-Chancellor (Lord Eldon) and Chief-Justice (Lord Kenyon) improved his knowledge of equity and law, while his diligence in forming digests and writing essays on legal subjects proved how carefully his mind was trained in professional learning. The result was that, when in practice at the bar, he speedily became a favourite with that clear-sighted race, the attorneys, and the following remarks on the mode in which this junior of four years' standing argued before the Court of Error will best corroborate the statement:—

"I was present in Court a few days ago," writes Mr Hoare in 1801 to Colonel Lefroy, "and heard your son argue a writ of error before the Exchequer Chamber. He was about two hours speaking, and, at the close of his arguments, he concluded by lamenting he was under the necessity of taking up so much of their lordships' time, to which Lord Clare\* replied—'Mr Lefroy, you have no reason whatever to lament, for you have argued the case with most uncommon precision, and much satisfaction to the Court.' The argument was received not only by the Court, but by the bar, in the most gratifying manner, and the Chief-Baron,† at a large party on that day, said, 'It was the ablest argument that had been made at the Irish bar.' Mr Burston, one of the leading lawyers in Chancery, before going out of Court, went up to Mr Babington, a most eminent solicitor, and advised him to retain your son for every important cause he had to be argued."‡

We may be certain the intelligence was highly gratifying to the young barrister's father, and was followed up, in 1802, by the publication of Mr Lefroy's work on "*Proceedings by Elegit for the Recovery of Judgment Debts*," which was a most timely production, for the decision of the Court of King's Bench upon the question of *elegits* caused great uncertainty as to proceedings by this process.

Law reporting at this period was almost unknown in Ireland. The decisions of Lord Lifford, Lord Chancellor of Ireland, though carefully reported by Mr Wallis, were not published for nearly half a century after they were pronounced, and it was rather a novel undertaking for Mr Lefroy, who was so short a time at the bar, together with another barrister, Mr Schoales, to undertake publishing the decisions of the great equity lawyer who succeeded Lord Clare as Lord Chancellor of Ireland—Mitford, Lord Redesdale. They performed the useful work most ably, and published the Chancellor's judgments from Easter Term 1802 until March 1806, when he ceased to be Chancellor. These decisions are excellent, and several relating to what is known as Irish Equity, the Tenantry Acts 19 and 20 Geo. III. c. 30, and the Law of Trusts, helped much to settle the law on these important subjects.

\* Then Lord Chancellor of Ireland.

† Chief-Baron Lord Avonmore.

‡ Memoir of Chief-Justice Lefroy, by his Son, p. 21.

Lord Redesdale was much pleased with the industry and ability of Mr Lefroy. Writing to a friend in England, the Chancellor kindly mentions him as a model for young lawyers to imitate. "Your friend, Mr Lefroy, is a young man who fully answers that description; he is much esteemed here, and I think must get forward."\* There can be no doubt the practice of law reporting is a most valuable one for a barrister. It makes him acquainted with the arguments on both sides, the causes referred to, and the way in which the judge distinguishes those in favour of his view from those against it.

With a view to general business, Mr Lefroy commenced to go circuit, and selected the Munster circuit as affording the widest field for practice. Here he soon established a high character as a *Nisi Prius* advocate, and in 1809 was employed at Wexford as special counsel, receiving the fee of 100 guineas. This mark of confidence in a barrister of eleven years' standing shows how his talents were appreciated. But the bent of his mind was for equity business, and he soon abandoned the noise and contention of the Assize Courts. In 1816 he received the silk gown of king's counsel, and two years later, Earl Talbot, then Lord-Lieutenant, with the concurrence of the Lord Chancellor (Lord Manners), Chief-Justice Downes, and the Attorney-General (Saurin), conferred the office of King's Serjeant upon Mr Lefroy.

Few men had more frequent opportunities of mounting the bench than he. Both when Judge Mayne resigned in 1820, and when Baron George retired in 1821, as well as on the death of Judge Fletcher in 1823, he was offered the vacant seats, but he preferred the more lucrative practice of the Court of Chancery, and, as he was then a young man with the best prizes before him, it was but natural he should decline to be shelved. In 1822, one of the judges being unable to go the Munster circuit, Mr Serjeant Lefroy was selected in his room, and his first judicial experience was not one to make him more desirous of ascending the bench. The present judges of Ireland may be congratulated on the light duties they have to discharge at the crown side of the Courts, when we contrast the calendars of our day with that presented at the Special Commission under the Insurrection Act in February 1822. The number of persons in Cork gaol was no less than 366, of whom 35 were capitally convicted. Serjeant Lefroy bears the following kindly testimony to his associate judge, the late Baron Pennefather. In a letter to Mrs Lefroy, he says:—"My friend Pennefather has, indeed, been as good as his word. He has been a most valuable, as well as friendly brother-judge. His sound judgment and great experience, joined to the most perfect cordiality, have afforded me the greatest assistance and comfort." Serjeant Lefroy went the Munster circuit again in 1824 and 1825, and also presided on other circuits in 1827, 1828, and 1829. His piety and charitable disposition brought him prominently into communion with various religious and humane societies—such as the Kildare Place Society, the Hibernian Missionary Society, the Scripture Readers' Society; he also took a great interest in the conversion of the Jews to Protestantism, and it

\* Memoir of Chief-Justice Lefroy, by his Son, p. 26.

was after taking part in a meeting of the Society which labours for this object, that the following incident occurred :—While presiding as judge of assize in Cork, a man was tried before him for larceny of a number of ancient coins, some of the Hebrew nation, others of the period of the Cæsars. O'Connell was employed to defend the prisoner, and the judge, having asked to see the coins, O'Connell significantly exclaimed—"Hand his lordship the *Jewish* ones, but give me the *Roman*."

In 1830 an event happened which displays the independence and spirit of Mr Lefroy when defending what he conceived the privilege of his office. The political importance of O'Connell, all powerful with his friends, was deemed so formidable to his enemies that the Tory authorities, then ruling in Dublin Castle, resolved, when a vacancy occurred among the judges of Assize, not to send Serjeant Lefroy as circuit judge, as he was so disliked by the Irish agitator.

The practice almost invariably has been in Ireland, when one of the twelve common-law judges was unable to go circuit, to select a Serjeant for this high function, and we read, in O'Flanagan's "*Lives of the Lord Chancellors of Ireland*," how, so far back as 1637, Thomas, Lord Wentworth, then Viceroy, severely reprimanded the Chancellor, Lord Ely, for passing over Serjeant Eustace, whom the Viceroy insisted should be sent as judge of assize, instead of a barrister, Mr Alexander, who was selected by the Lord Chancellor. It happened that Baron M'Clelland, being unwell, was unable to go the spring circuit of 1830, and under the pretext that so many causes were unheard before the Lord Chancellor, it was suggested, unofficially, that it were well if Serjeant Lefroy claimed exemption, which would be readily granted, from going the Munster circuit as judge of Assize. This most unusual interference caused the Serjeant to see through the measure; he at once replied, that though his circuit duty would be to him personally an inconvenience as well as a loss of income, he felt it was one of the privileges incident to the office of Serjeant, and that, for the sake of the profession in which that post gave precedence and rank, he thought it was incumbent on him, while holding the rank, not to forego any public duty from considerations of personal convenience.

A further effort was made by Mr Joy, then Attorney-General, to induce Mr Lefroy not to press his right, when Mr Lefroy informed him that "any further communication should be official and in writing," which led to the ensuing letter from Mr Gregory, then Under-Secretary for Ireland :—

"DUBLIN, *February 26, 1830.*

"SIR,—I have received the Lord-Lieutenant's command to acquaint you, that he considers your nomination to the provisional exercise of the judicial function as inexpedient to the existing circumstances of this country.

"I have the honour to be, Sir,

"Your most obedient humble servant,

"WM. GREGORY.

"Mr Serjeant Lefroy."

This curt, and certainly very mandatory epistle, produced the following spirited answer:—

“SIR,—I have had the honour of receiving your letter of this morning, acquainting me that the Lord-Lieutenant ‘considers the nomination of me to the provisional exercise of the judicial functions as inexpedient to the existing circumstances of this country.’ Connecting this letter with the communication made to me yesterday morning by the Attorney-General from the Lord-Lieutenant, accompanied as it was by every assurance of personal respect, I feel it due to his Grace to submit to the consideration of his better judgment one or two observations which have occurred to me on the subject of these communications. I confess it does appear to me to be essential to the due administration of public justice, that the officers of the crown, so far as respects the discharge of their judicial functions, should have the same independence which the law has secured to the judges, so as to place them in like manner beyond the control of popular clamour or of existing circumstances. I also think, on the part of the profession to which I belong, that I ought not to submit, in my person, to have the office stripped of one of its most honourable incidents, by compromise or acquiescence, though inconvenient in its exercise to myself.

“I feel, therefore, compelled to say, that if his Excellency should deem it fit to interdict my going circuit, I should consider it due to the office and myself, to request, in such case (if this be his Excellency’s determination), that he may permit me to resign it altogether. I received the office unimpaired in its privileges; it is admitted I held it unsullied, and in that state I wish to lay it down, if it is no longer to be enjoyed without mistrust and curtailment.

“I have the honour to be, &c.,

“Wm. Gregory, Esq.”

“THOMAS LEFROY.

This manly protest against interference on the part of the executive was ineffectual in restraining the course which the Viceroy had made up his mind to adopt. Mr Serjeant Blackburne was selected to go circuit, and Mr Lefroy, true to his principles, resigned the serjeantry. The course taken by Mr Lefroy helped to raise him still higher in the estimation of his political friends, who now regarded him in the light of a martyr to the cause of Protestant ascendancy. His return to Parliament for Dublin University, at the general election which followed the death of King George IV. in 1830, was the first reward for his conduct, and it must have been gratifying to him that, when about commencing his Parliamentary career, he was accompanied to the House of Commons by his eldest son, Anthony Lefroy, returned as one of the knights of the shire for the county of Longford.

Mr Lefroy was a consistent Tory, and took part in most of the debates of a sectarian or party nature. He steadily opposed the reform bills, and all the Whig measures, with undeviating hostility.

In 1837 he commenced building a mansion at Carrig-glas, county Longford, in the Tudor style, with the tall towers, deep embayed windows, pointed gables, and embrasured parapets of that graceful period. We can well imagine the regret of Mr Lefroy when the effect was disclosed of the great storm of 6th January 1839 upon the woods



surrounding his house. It prostrated a large grove of cedars of Lebanon, which had formed the chief attraction from the windows of the principal sitting-rooms, and the wind committed such general havoc, that no less than 4600 trees were uprooted in the park and surrounding woods. A more serious trial quickly followed. When Sir Robert Peel became Premier, in September 1841, the great professional eminence of Mr Lefroy, as also his political services to his party, together with those of his son Anthony, pointed him out as a proper recipient of the Irish Great Seal. But O'Connell's influence interfered, and the office of Lord Chancellor of Ireland was, for the second time, conferred upon Sir Edward Sugden. Mr Lefroy had, shortly afterwards, the offer of becoming one of the Barons of the Exchequer, and though he felt inclined to refuse a puisne judgeship, as he had done before on several occasions, he was prevailed on to accept this offer, and took his seat on the Exchequer bench, Hilary Term 1842.\*

The appointment of Mr Lefroy to the Exchequer Bench was not allowed to pass unchallenged. On a motion in the House of Commons, respecting the restoration of Mr St George to the bench of magistrates, Mr Shiel thus commented upon the appointment of Baron Lefroy: "If to the Peerage, to which his fortune was so adequate; if to the House of Lords, where, on Irish appeals, totally unconnected with party he could, by his knowledge and his talents, have been eminently serviceable (in reward for his political services, which I do not mean to dispute), you had raised Mr Lefroy, I should not have complained; his abilities, his acquirements, his capacity to do good in a proper place, I freely admit; but that you should, from the entire mass of the Irish bar, have made a choice of a gentleman so conspicuous for the part which he has acted on every question by which Ireland has been agitated for the last twenty years, was a most extraordinary proceeding. I bear, I protest, no ill will to Baron Lefroy. I cannot injure him by any attack; you cannot hurt him by a defence. He is beyond the reach of both. If I ran the risk of doing him the slightest harm, I should abstain from all reference to his name; but it is legitimate and just, when to the individual in question no injury can accrue, to animadvert upon the breach of pledges which is involved by his promotion. I have no right to condemn *him*, but I have every right to censure *you*; I doubt not that he has always acted a conscientious part; but his appointment is not, upon that account, the less a departure from your engagements, and a violation of those pledges which no one asked you to make,—which were perfectly voluntary on your part, into which you entered without deliberation, and which you have abandoned with discredit."

In reply, Sir Robert Peel fairly showed how Viceroys of all political parties had offered judgeships to Mr Lefroy, and that the Irish bar expected he would have been Lord Chancellor. But the fears Mr Shiel entertained of the politician appearing in the judge, were never realised. As a judge, Baron Lefroy was never influenced by either religion or politics.

The kindly reception he met with from his companions on the bench,

\* Memoir of Chief-Justice Lefroy, by his Son, p. 216.

is thus mentioned by him in a letter to his wife, dated 21st January 1842:—"I have been now sitting a whole week with Brady\* and Richards (as Pennefather was sitting at the Commission Court), and I can truly say that, if the oldest friends I have amongst the judges had been my companions, instead of my political opponents, I could not have experienced more unaffected kindness, cordiality, and respect. Torrens has chosen the Munster circuit, in order that he and I may go together."†

Perhaps the solitary instance in which Baron Lefroy ever came into collision with the bar, occurred upon the Munster circuit, during the spring of 1842.

In the case of *O'Keeffe v. Wallis*, tried before the Baron at Cork. 21st March 1842, after the defendant's case was stated, the plaintiff's counsel applied to Baron Lefroy to adjourn, in consequence of the lateness of the hour, it being then past seven o'clock. The counsel stated they were unable, from fatigue and illness, to do their duty to their clients, and the counsel for the defendant having joined in requesting his lordship to adjourn, he peremptorily refused to do so. Whereupon counsel on both sides retired from Court, and his Lordship proceeded with the case in their absence.

In consequence of the above occurrence, a requisition, numerously signed by the Munster bar, having been presented to the father of the bar, Mr Bennett, Q.C., a meeting was called by him at the Bar-room in Cork, on Thursday the 22nd of March 1842, when the following resolutions were adopted:—

"1st, Resolved—That the practice of continuing the sittings of the Court on circuit after a late hour is calculated to prevent the due administration of justice, and is necessarily detrimental to the interests of suitors.

"2nd, That, although the pressure of business in the earlier towns on circuit, where the time for holding the assizes is limited, may occasionally render late sittings necessary, no such necessity can exist in the last town on the circuit.

"3rd, That this meeting highly approves of the conduct of counsel in withdrawing from Court under the circumstances.

"4th, That the father and junior of the bar do wait upon the learned Baron, and hand him a copy of these resolutions."

The copy of resolutions having been duly given to the Baron, the following reply was addressed by him to George Bennett, Q.C., the father of the Munster bar:—

"CORK, 26th March 1842.

"DEAR SIR,—I have to acknowledge the receipt of the resolutions of the Munster bar, which you were instructed by them to communicate to me, and regret that pressure of business has prevented me making an earlier reply. I think I may take the liberty of saying, that, from my standing in life and in my profession, as well as my long and intimate acquaintance with so many of the Munster bar, I scarcely could have expected that, without any previous intimation, a proceeding should

\* The Right Hon. Maziere Brady, Chief Baron, afterwards Lord Chancellor.

† "Memoirs of Chief-Justice Lefroy," by his son, p. 229.

have taken place such as occurred in Court, followed by an immediate Bar-meeting, and consequent resolutions, such as I cannot but hope they would not upon more mature deliberation have adopted; and I cannot, even now, avoid calling their attention to considerations which, under momentary excitement, I cannot but think have been overlooked, as I am persuaded the great body of the bar will ever be disposed to uphold the due authority of the bench, and to assist, rather than embarrass, a judge in the discharge of the difficult and arduous duties he has to perform; I consider it must, of necessity, belong to the discretion of the judge when to adjourn a cause, and that he is bound, in the exercise of this discretion, to consult as well the interests of suitors, and the accommodation of the jurors and witnesses, as the convenience of the bar. I cannot, therefore, subscribe to any doctrine which would transfer the exercise of this authority from the bench to the counsel in a particular case, without any regard to those other considerations which must necessarily and properly be taken into account in all the arrangements affecting the discharge of the public business, the propriety of which, I am persuaded, the bar itself will willingly admit.—I have the honour to be, dear Sir, your faithful humble servant,

THOMAS LEFROY.

“George Bennett, Esq.

“May I request you will submit this to the bar at your earliest convenience.”

As several of the Munster bar had left Cork when Baron Lefroy's letter was received by Mr Bennett, it was not submitted to them until the ensuing term in Dublin, when they had the opportunity of preparing the following reply:—

“May it please your Lordship,—Having taken into anxious consideration your lordship's letter, we the members of the Munster bar, who entered into the resolutions adverted to by your lordship, beg leave respectfully to inform you, that, although we assent to the several propositions laid down by your lordship in that letter, yet, after much deliberation, we find no reason to rescind or alter any of the resolutions that we have adopted.

“We assure your lordship that we never had the slightest intention of treating the bench with any disrespect, nor are we aware that, in any instance, we have been guilty of so doing; and, indeed, throughout the whole of the last circuit, we were desirous to pay your lordship that respect to which your high professional character and exalted station so justly entitle you. With respect to what appears to your lordship to have been too sudden a meeting, convened by requisition, without any previous intimation to your lordship, we beg leave to remark, that the meeting was not called until after repeated and respectful requests not to sit late had been made to your lordship, and refused, and not until some of the bar found themselves unable, from excessive fatigue, to discharge their duties.

“In the earlier towns of the circuit we contented ourselves with ineffectual remonstrances, but in the last circuit town, where the time for holding the assize was not limited, we felt that there was something harsh, as well as unusual, in your lordship's refusal to comply with a request made—as your lordship was apprised at the time—in conse-

quence of the illness and exhaustion of the counsel concerned in the cause, actually labouring as they then declared they did, under a physical inability to discharge their duties; that inability induced in a great measure by the protracted sittings during the former part of the circuit.

"We do not believe that, on any former circuit, was such a request ever refused, or considered an undue interference with the authority of the bench. We beg leave respectfully to add, that the case in which your lordship declined to adjourn was one of such a nature that it would necessarily have occupied a considerable time, if the counsel engaged in it had been capable of remaining in court and performing their duties.

"We willingly admit, that it must of necessity belong to the discretion of the judge when to adjourn a cause; and that he is bound, in the exercise of that discretion, to consult the accommodation of the jurors and witnesses, as well as the convenience of the bar; and we deprecate, as strongly as your lordship can, any doctrine which would transfer the exercise of that authority from the bench to the counsel in the cause; but your lordship will be pleased to recollect that your intention openly announced on the Saturday evening, to sit late during the ensuing week, and so announced in opposition to the expectation of the bar, and to the expressed wishes of the great majority of the jury then impannelled, gave to your lordship's refusal to comply with the respectful application for an adjournment on the Monday following, the appearance, at least, of having been the result of your lordship's determination to act upon your previously declared resolution, rather than the exercise of your lordship's discretion, as to the propriety of adjourning the particular case then on trial.

"We beg leave to assure your lordship that we are, at all times, anxious to evince that respect which we sincerely feel for the gentlemen who so ably discharge the duties of jurors at the assizes; and are, at all times, ready to comply with any wish expressed by them, not inconsistent with our duties to our clients; but we feel that the first object to be considered by all concerned in the administration of justice is the interests of the suitors; and we submit that, even if a few persons should be found desirous and able to protract their sittings, until both their fellow-jurors and the counsel had become incapable of performing their respective duties, a compliance with the wishes of such persons, under such circumstances, would tend rather to defeat than promote the ends of justice. We beg leave also to inform your lordship, that we have reason to believe that your lordship is in error, if your lordship supposes that the jurors in general desire that the courts should sit until a late hour in the evening.

"Whilst we are fully conscious of the respect that is due to the bench, and are sensible of the kindness manifested by the tenor of your lordship's letter, we feel it due to ourselves to submit the foregoing remarks to your lordship's consideration, and, at the same time, to express our most anxious hope that nothing that has occurred shall prevent in future the continuance of that kindly feeling that ought, at all times, to subsist between the bench and the bar."

Some further correspondence ensued, showing that both parties



adhered stoutly to their opinions as expressed above, which was closed by the Baron writing to Mr Bennett the following letter:—

“LEESON STREET, 12th May 1842.

“MY DEAR SIR,—As my letters were not written with a view to enter into discussion, but simply to call to mind the importance of considerations which appeared to me to have been lost sight of in the occurrences which took place at Cork, I shall make no observations on the letter you have now transmitted to me. I cannot, however, but entertain a confident hope that, when the excitement of the moment has passed away, the writers of that letter will view the transaction to which it refers in a very different light from what they seem disposed to do at present.—Yours, my dear Sir, very faithfully,

“George Bennett, Esq.

THOMAS LEFROY.”

Among the numerous cases of interest tried before Baron Lefroy, one of those which excited the greatest attention was that of John Mitchell, tried under the Treason Felony Act. This case was tried in May 1848, in the Commission Court in Green Street, Dublin, before Baron Lefroy and Judge Moore. The prisoner was found guilty, and sentenced by Baron Lefroy to fourteen years' transportation.

On the accession of the Earl of Derby to the high trust of Prime Minister in 1852, he lost no time in placing Baron Lefroy at the head of the Common Law Bench, as Lord Chief-Justice of Ireland. A better proof cannot be given of the estimation in which this excellent judge was held, than is contained in the letter of congratulation on this event addressed to him by the Roman Catholic Chief-Baron of the Court in which he sat for fourteen years.

“CASTLEBLANEY, 14th March 1852.

“MY DEAR CHIEF-JUSTICE,—I am here on my return from Derry, Sabbath-bound, as I do not travel on Sunday. I may possibly have to cross over to the north of England, immediately on my arrival in Dublin to-morrow. I therefore write this, lest I should miss seeing you. I suppose I may now address you by the title which I have written above. Most warmly as I must rejoice on personal grounds, at anything which could in any way conduce to your welfare or your honour, and much as I prize the accomplished lawyer who is to succeed you, I feel most deeply how great is the loss which your elevation will occasion to myself, and to the colleagues whose experience of your value has been still longer than mine. I shall ever look back with a satisfaction alloyed only by a sense of what we are losing upon the five years and a half during which I have witnessed and enjoyed the benefit of the learning and experience, the sound, clear, and vigorous judgment, the keen and stern sense of justice, and withal the cordial and candid spirit, guiding while it enhanced these qualities by which you have done so much in counselling and assisting us in the Exchequer.

“I could not forbear to say thus much to you; hoping that, though we shall no longer meet upon our old ground, we shall often renew our intercourse elsewhere, and wishing earnestly every good wish for your honour and happiness, I shall only add how sincerely I am,—My dear Chief-Justice, most faithfully yours,

D. R. PILOT.”

Chief-Justice Lefroy presided over the Court of Queen's Bench from

Easter Term 1852, to Trinity Term 1866, and, with his ten years' experience as Baron of the Exchequer, made an admirable common law judge. The reports of his decisions show how thoroughly he was master of the great principles of Common Law, and his constant attention being directed to points of pleading and practice, rendered no detail too small to escape his comprehension. While wielding the knowledge he possessed with a powerful arm, he could unravel the threads of the most tangled skein with the nicest care; and when presenting the cases at *Nisi Prius*, or the criminal trials, to the jury, he left nothing material overlooked or unnoticed. High functionaries seldom escape spiteful attacks, and Chief-Justice Lefroy was no exception.

During the Session of 1856, Sir John Shelley moved in the House of Commons for a return of the dates of the call to the bar of the judges of the Superior Courts of Law in Ireland, the duties of their appointments as judges, the number of times each was absent during the whole of any term, or part of a term, and the cause of such absence, also in how many instances substitutes were appointed by the crown to preside at any assize, or portion thereof, in the absence of any sub-judge, giving, in each case, the name of the town. While bringing forward this motion, Sir John Shelley referred to Chief-Justice Lefroy, Judge Torrens, and Baron Pennefather, "who," he said, "were allowed to hold their offices, when incompetent through age and infirmity from discharging their duties."

The result was not to drive the Chief-Justice from the bench, as was expected, and many years elapsed before the effort to displace him was renewed. In consequence of the old chief having shown some want of resolution when passing sentence on a man convicted at the assizes of Tullamore, the attack was renewed in the House of Lords by the Marquis of Clanricarde, and in the House of Commons by Mr Bryan, member for the county Kilkenny.

When vindicating Chief-Justice Lefroy from the attack of Lord Clanricarde, Lord Chelmsford said,\* "*Prima facie*, the noble Marquis was right in stating that a judge who had arrived at a time of life far beyond the ordinary period of man's existence could not be perfectly competent to the duties he had to discharge, but he would remind the noble Marquis that he must be cautious in measuring the capacity of age. A distinguished ornament of their lordships' House had not long ago passed away, who had adorned every debate with the most profound wisdom and judicial eloquence which had never been surpassed. That noble and learned lord, on the night that he entered on his ninetyeth year, addressed their lordships in a speech that arrested their attention for more than half an hour, in which the most perfect clearness, lucidity, and wisdom showed that his powerful intellect was setting without a cloud. Suppose that that distinguished person had held a judicial appointment, would it be a justification to call on him to resign on the score of his age? There was not a practitioner in the Court of Queen's Bench who would say that a single decision of the Lord Chief-Justice was not what it ought to have been, or that they showed any decay of his mental faculties. From the year 1862 to the present period, there have been only four writs of error from the Court of Queen's Bench,

\* Hansard, C. D., vol. 183.

and during the last two years only one bill of exceptions had been offered to the rulings of the learned judge. The noble Marquis has asked whether it would be possible that an English judge of that age would be able to endure the labours of circuit? For five-and-twenty years the Chief-Justice had not missed a single circuit in town, or any circuit, except in the year 1847, when he was suffering from low fever, and was obliged to absent himself for six weeks. He had up to the present moment discharged duties of the most important kind. The criminal business of the Queen's Bench was very considerable, besides which, the important questions connected with the Fishery Act all went to the Court of Queen's Bench. The Chief-Justice performed his part in the discharge of these duties, and every one of his decisions met with the most perfect approbation. With regard to the trial of the prisoner King, for the murder of an officer, which took place at the last assizes for King's County, he did not know upon what authority the facts were stated; but if he wanted a case which would satisfy him of the strength and vigour of the Chief-Justice's intellect, it was that case. Their lordships might recollect that a question of law arose in that case with respect to the indictment. By an Act of Parliament, in Ireland, if a murder was committed within 500 yards of the boundary of a county, the indictment might be laid either in that or the adjacent county. In the case alluded to, the murder took place not in the county in which the *venue* was laid, and an objection was taken that it ought to have been stated in the indictment that the murder took place within 500 yards of the boundary of the county. The question was argued before the Chief-Justice with very great ability, and he was of opinion that there was no necessity for introducing that averment into the indictment; but the question was so important, especially as the life of a human creature was concerned, that he reserved the point. It was accordingly argued before the judges, and they decided almost unanimously that the judgment of the Chief-Justice was right."

The discussion in the House of Commons was shared by Sir Hugh Cairns, who strongly testified to the ability of the Chief-Justice, as also did the Lord-Justice of Appeal in Chancery. Mr Blackburne and Mr Whiteside\* also fought stoutly for the old chief, and showed that the amount of property litigated in the Queen's Bench was larger than that either in the Exchequer or Common Pleas. Mr Whiteside contended that "it might as well be said that in age Titian had lost his genius, Radetski could not win a battle, and Lord Lyndhurst had become a fool." Sir George Bowyer also came to the aid of the veteran judge. He referred to the judgments of the octogenarian Lord Mansfield, the nonogenarian Dr Lushington, and the advanced age of Lord Tenterden when he died, also to the sound intellects of Lord St Leonards, and the American Chancellor Kent.

This discussion elicited some interesting remarks in the newspaper press. At what particular period of life do the mental powers begin to decline, and when, as a general rule, is first observed the commencement of intellectual decay? "It is not true," wrote Dr Lerdat of the University of Montpellier, "that the intellect becomes weaker after the vital

\* The Right Hon. James Whiteside. This distinguished ornament of the Irish Bar succeeded Chief-Justice Lefroy as Lord Chief-Justice of Ireland.

force has passed its culminating point. The understanding acquires more strength during the first half of that period which is designated as old age. It is, therefore, impossible to assign any period of existence at which the reasoning powers suffer deterioration." The opinion of this eminent physiologist was supported by referring to the instances of Lord Eldon, who possessed the full enjoyment of his wonderful intellect until shortly before his death, in his 86th year. His brother, Lord Stowell, lived to the age of ninety, his mental faculties remaining unimpaired to the last. So in the case of Lord Mansfield, who reached the ripe age of eighty-nine. Sir Edward Coke, up to the period of his death, in the 82d year of his age, was employed in revising his works for the press. At the age of eighty-three Sir Isaac Newton brought out the third edition of his "*Principia*," for which he wrote a new preface. Cumberland, Bishop of Peterborough, mastered Dr Wilkin's Coptic Testament at that age. Titian continued to paint to the age of ninety-six, when he died suddenly. So that one should be cautious in lowering the value of intellect in aged persons.

But political changes brought about what the attacks in the Lords and Commons could not achieve. The death of Lord Palmerston, in 1865, broke up the mixed party which he so long kept together, and Earl Russell's ministry was defeated by a majority of eleven, on Lord Dunkellin's amendment to the Reform Bill, which led to Lord Derby's becoming Premier. This was the period for the Chief-Justice to enable his political friends to replace him by one of their most able supporters. He at once communicated his readiness to resign to the Prime Minister; who wrote in reply:—

"DOWNING STREET, *July 11th, 1866.*

"MY DEAR CHIEF-JUSTICE,—Your son sent me, a few days ago, a most kind letter from you, the handwriting of which I should have taken to be that of a man of thirty, instead of ninety, in which you express your readiness to surrender into my hands the high office which I had the satisfaction of intrusting to you fourteen years ago, and which you have filled with so much credit to yourself, and advantage to the public service. I find it difficult to express the gratification I feel at the cordial and friendly terms in which the offer of your resignation is couched."

It was, however, deferred until arrangements were perfected for Mr Whiteside to succeed him as Chief-Justice, but on the 24th of July 1866 it at length took place.

Farewell addresses poured in from grand juries and public bodies, but that of the Bar is all we can afford space for.

"To the Right Hon. Thomas Lefroy.

"SIR,—We, the undersigned members of the Bar of Ireland, desire to address you on your retirement from the judicial bench. We express with pleasure our appreciation of the industry and energy, the logical power, the profound learning, the great talents and high integrity, by which your long professional career has been illustrated; and we acknowledge that your distinguished success was the just reward of these admirable qualities.

"Your reports of the judgments of Lord Redesdale in the Court of Chancery—the first service rendered by you to the administration of the



law—have found a becoming sequel in many valuable judgments pronounced by yourself in the Courts of Queen's Bench and Exchequer, to which the highest authority will be permanently attached.

"We are persuaded that the Bar of Ireland will long cherish with pride and gratitude the memory of the dignity and courtesy which marked your conduct as Chief-Justice.

"We would congratulate you on the many pleasant memories which will follow you into your retirement—the recollection of youthful honours won at the University; of early struggles and exciting triumphs in your profession; of many genial and distinguished friends; and lastly, of the admiration and deep respect achieved by your talents and the firmness and impartiality with which you administered the law.

"In that retirement we trust that, by the blessing of Divine Providence, you may enjoy a serene old age, adorned by the exercise of private virtue, enriched by the abundance of domestic happiness, and supported by a bright hope of immortality.

"And now, Sir, we cordially bid you farewell.

ROBERT D. MACREDY, Father of the Irish Bar.

MICHAEL MORRIS, M.P., Attorney-General.

HEDGER EYRE CHATTERTON, Solicitor-General.

COLMAN O'LOGHLEN, Bart., M.P. (Second Serjeant)."

Sixty Queen's counsel and 187 members of the Outer Bar also signed this address.

In his reply the venerable Chief-Justice thus refers to the study of the laws of England:—"Many of you, no doubt, have already learned for yourselves that the laws of England present one of the noblest and most useful of human studies to an intellectual mind; but to those of you who have just entered on your professional career, let me say that, after the experience of a long life, I look back not only to the University honours and the professional triumphs, to which you have so gracefully referred, but to the years of diligent and patient study which I have devoted to the acquirement of a thorough knowledge of the principles of our law, as one of the most pleasing recollections of my early life. I now bid you farewell; and in doing so, allow me to reciprocate the kindest, the best of your wishes for me, by expressing my earnest desire for each and all of you that, as advancing years roll on, your earthly path may be lightened by that bright hope of immortality which can alone give true happiness, or secure to any man a power of mind that shall stand the test of adversity as well as of prosperity.—I remain, yours very faithfully and obliged,

THOMAS LEFROY."

The council of the Incorporated Law Society of Ireland also, by its address, bore testimony to the "profound harmony, deep sagacity, and unwavering patience" which have marked the Chief-Justice's judicial career. That by his departure, the bench lost "one of its brightest ornaments, in whose hands justice was administered, not only with power and impartiality, but also with that dignity which should ever accompany such administrations, and which secures for it reverence and honour."

In the Chief-Justice's reply he refers to the efforts which the council was making, and has so signally achieved, of rendering the profession of Attorney or Solicitor attainable only by gentlemen of considerable

intellectual culture. Mr Lefroy says—"Your address refers to a subject which has long engaged my anxious attention, and though now withdrawn from the sphere of duty on which I could effectually assist the praiseworthy efforts of the Law Society to uphold the character and social status of that important branch of the legal profession to which you belong, yet I shall not fail to take a deep interest in the subject. My long experience in the administration of justice has strengthened my early convictions as to the evil of the practice which prevails, of allowing men to take upon themselves the duties of your profession who have neither the education nor the intelligence necessary for the purpose, a practice which is opposed to the well and widely established rule in England, and which deprives the suitors of the security they ought to have in being represented by those who have been admitted as members of your profession, and who, as officers of the court, are subject to its control." The recent rules for admission to this important branch of the legal profession, and the examinations before young men can be received as apprentices, show how, not only the interests of the attorneys but of the public at large, have been consulted and advanced by the Law Society of Ireland.

The closing years of the aged Chief-Justice were spent in retirement, but not in apathy or indolence. He was essentially of domestic tastes, and gathered around him at his country seat, Carrig-glas, and in his town house in Leeson Street, his children and children's children, especially at the genial seasons of Christmas and Easter. The air of Bray being deemed better for his lungs than that of Carrig-glas, he took a pretty villa there, called Newcourt, which he principally occupied for the last few years of his life. Here, on the 4th of May 1869, surrounded by all his family, preserving his consciousness to the last, taking part in the devotions which were conducted by his son, Chief-Justice Lefroy died. His remains were followed by the members of the Irish Bench, the Bar, and the public to the family vault in Mount Jerome Cemetery, Dublin, on the 11th of May 1869.

WILLIAM SHARMAN-CRAWFORD.

BORN 1780—DIED OCTOBER 1861.

WILLIAM SHARMAN-CRAWFORD was the eldest son of the late William Sharman, Esq. of Moira Castle, Co. Down; Colonel of the Union Regiment of Volunteers, and M.P. for Lisburn in the Irish Parliament from 1783 till 1790. He assumed the latter surname in addition to his paternal one of Sharman, by royal license, in compliance with the will of Mr John Crawford of Crawfordsburn, County Down, whose daughter Mabel he married in 1813.

The name of Mr Sharman-Crawford has been identified with all the great political and social questions which agitated Ireland almost from his boyhood. Following in the footsteps of his father, Colonel Sharman, he took the Liberal side against the aristocracy of his county, and laboured anxiously for nearly half a century in the democratic cause. Though himself one of the wealthiest commoners in Ulster, he exhibited

all through his public life a strong antagonism to the landed gentry, and his sympathies were altogether with the people, and especially with the tenant farmers. Mr Crawford's public life commenced with the agitation for the relief of the Roman Catholics from their civil disabilities. In 1831 he unsuccessfully contested the representation of the county of Down, and he stood for Belfast in 1832, when he was again defeated. At length in 1834, he entered Parliament as member for Dundalk, and continued to sit for that borough until the dissolution in 1837. Mr Crawford, though strenuously opposed to the Repeal movement when first started by Mr O'Connell, entertained a plan of his own for a "Federal Parliament" in Dublin, by which purely Irish questions might be entertained and determined, and he even ventured to debate the question with the great agitator face to face in Conciliation Hall. The tumultuous scene which occurred on that occasion led to a break between Mr Crawford and Mr O'Connell, and the former became for some time an object of great odium, which resulted in his being driven from the representation of Dundalk. In 1841 the electors of the borough of Rochdale paid Mr Crawford one of the highest compliments ever conferred by a constituency on a representative. "The men of Rochdale," says the *Northern Whig*, "from pure regard for his principles and respect for his public worth, returned Mr Crawford as their member, without one farthing of expense, and without his having a personal acquaintance with a single voter in the borough. This gratifying connection existed until the 1st of July 1852, when he retired, carrying with him the affectionate regard of his constituency." At the general election of 1852, when upwards of seventy years of age, Mr Sharman-Crawford made his last public struggle for the cause he had espoused, and contested the county Down unsuccessfully against the landed influence. In the House of Commons, while representing Dundalk and Rochdale, he was universally respected for his integrity, fairness, and sound sense. But, notwithstanding the weight of his personal character, his scheme for effecting the great object of his political life, the question of "Tenant Right," was rejected over and over again; the landed class denounced it as a measure of confiscation, and it was generally derided as the "hobby" of a mad enthusiast. Accordingly, the several bills which he introduced in Parliament never found favour with the Legislature, and all attempts to legalise the "Custom of Ulster," and extend it to other parts of Ireland proved abortive. But it must have been gratifying to Mr Crawford's numerous friends and zealous supporters to find that, within a period of less than ten years from his death, the Government of the day thought it advisable to introduce a measure carrying out the very objects for which he struggled during the greater part of his public life. "The Landlord and Tenant (Ireland) Act 1870" gives the effect of law to the "Custom of Ulster," and provides for compensation for improvements made by tenants in their holdings in other parts of Ireland in case of their being disturbed in their possession. Whatever opinion may be entertained as to the effects of this Act of Parliament, there can be no doubt that to Mr Crawford is due the origin of the measure, and his exertions paved the way for its introduction. Sir Robert Peel, when last in office, was so

influenced by Mr Crawford's advocacy of Tenant Right, that he sent a commissioner to Ireland to make inquiries into the system of land tenure in every county. Two years afterwards the *Times* sent Mr Caird on a similar mission, and the result of those inquiries was to bring before the country a vast amount of valuable information. It seems, too, very remarkable that Mr Crawford's scheme of a "Federal Parliament" should within the last few years have been revived under the title of "Home Rule," and apparently with some prospect of success. He died at his residence, Crawfordsburn, on the 17th of October 1861, at the venerable age of 81.

## THE RIGHT HONOURABLE FRANCIS BLACKBURNE.

BORN 1782—DIED 1867.

ALTHOUGH the subject of the present memoir lived in times of great political excitement in Ireland, he so adroitly, and at the same time honourably, set his sails to catch every favouring breeze of promotion that he was trusted equally by Whig and Tory. He had no desire to enter Parliament, and, though he exercised great public influence in Ireland, he never had to encounter the trials of political strife on the hustings or the wordy war of the Senate. Every administration that secured his co-operation felt strengthened by the alliance, for no man stood higher in public esteem as a profound lawyer, an astute adviser, and an accomplished gentleman than Francis Blackburne. Though his life is unmarked by many vicissitudes, it affords such lessons of the results of industry and perseverance as to render it deserving of being read with attention.

Francis Blackburne was born at Great Footstown, in the County Meath, on 11th of September 1782. His father, Richard Blackburne, had married, in 1774, Elizabeth, daughter of Francis Hopkins, Esq., lineally descended from the celebrated Dr Ezekiel Hopkins, who filled a very important place in the Protestant Church of Ireland at a period of great danger. He was Bishop of Londonderry when the Prentice boys made their gallant defence against the Jacobite forces. Francis received his earliest education at the school of the Rev. Hugh Nilson, who taught his pupils in the village of Dunshaughlin, not far from Footstown. Here he remained until he was thirteen years of age, when the disturbed state of the country obliged his parents to relinquish their insecure residence at Footstown for the protection of the metropolis. This change had the effect of placing young Francis at a better school than the village one—that of the Rev. William White—where he was class-fellow of many talented youths of Dublin. Young Blackburne was a diligent student, and even in those early days gave promise of the excellence which marked his later years. In his sixteenth year, when sufficiently prepared for college, he became a student of Dublin University in 1798, and obtained first scholarship in 1801, besides an exceptional honour—an extraordinary premium for his distinguished answering in classics.\*

\* At this time honours in classics were given during the two first years of the undergraduate course only.



Those who are familiar with Mr Blackburne's forensic career can readily believe in the great success which attended his displays in the renowned College Historical Society. He gained medals for oratory and history; and while the rich stores of his mind were poured forth in terse and vigorous words, the ear was pleased by an agreeable voice and a good delivery. The eloquent scholar obtained his degree of Bachelor of Arts in the spring of 1803, and at the same time the gold medal.\* During the later years of his college life, Mr Blackburne entered the King's Inn as law student, and was called to the Irish Bar in Hilary Term, 1805. He had been as diligent in law as in classical learning, and though he does not appear to have had the benefit of training at a special pleader's or conveyancer's chambers, he was not unprepared for business when business came. He went the Home Circuit shortly after being called, and got some briefs at the Assizes which led to others in town, on motions for new trials or points reserved, and having placed his competency beyond doubt by his able addresses to the Court in Banco, business soon flowed in to the rising junior. Most men have to bide their time at the bar; many grow heart sick and weary before their time comes; not so with Francis Blackburne. He had, almost from the start, as much business as he cared for; and by the time he was ten years called, more than his health enabled him safely to undertake. In 1822, he was called to the inner bar as King's Counsel; and it was matter of surprise and reproach to the Lord Chancellor, Lord Manners, that Mr Blackburne should have worn the stuff gown so long. Daniel O'Connell, when stating before a Parliamentary committee the hardships inflicted upon members of the bar, who, being Roman Catholics, were then, in 1825, denied the honours of the profession, mentioned that he was often mortified by having his junior promoted over his head, and then paid the following compliment to Mr Blackburne:—"Mr Blackburne is my junior, certainly, of high reputation in his profession. His promotion could create no jealousy in my mind. He is one of the best lawyers at the bar." Further promotion was soon to visit the new King's Counsel.

In 1823, Mr Blackburne was appointed by the Marquis of Wellesley, then Viceroy, to carry out the provisions of the Insurrection Act in the counties of Clare and Limerick, and it required very great tact and discretion to do this effectively. Mr Blackburne accomplished his invidious duty most ably; and in 1826 the office of third serjeant falling vacant by the promotion of an excellent lawyer and worthy man, Serjeant Lloyd, as commissioner of the court for relief of insolvent debtors in Ireland, the coif was given to Mr Blackburne. He became second serjeant on the resignation of Serjeant Lefroy in 1830, and during these years was in large practice at the bar. He also acquired the confidence of the Tory Government, and was named commissioner to inquire into the party riots which disgraced the north of Ireland.

The Whigs succeeded the Duke of Wellington's administration in 1830, and Lord Grey appointed Mr Joy Chief-Baron of the Exchequer, and Mr Doherty Chief-Justice of the Common Pleas. This made

\* He subsequently took the degrees of LL.B. and LL.D. in 1852, when he became Vice-Chancellor of the Dublin University.

a vacancy in the two law offices, and Serjeant Blackburne became Whig Attorney-General for Ireland.

The period during which the Marquis of Anglesey held office in Ireland was one of great political excitement. O'Connell had hoisted the standard of Repeal of the Union, and one of the first steps taken by the Marquis of Anglesey, Lord-Lieutenant of Ireland, was to state his determination to suppress these meetings. He found great difficulty, as he had the consummate ability and subtlety of O'Connell opposed to him. When the Privy Council of the Castle issued a proclamation forbidding the meetings of "The Society of the Friends of Ireland," O'Connell forthwith dissolved that body, and, Phoenix-like, there rose from its ashes "The Anti-Union Association." When the proclamation against this society was placarded, another change of name took place, and the society became "The Irish Volunteers for the Repeal of the Union." In meetings, in speeches, in letters, O'Connell pressed forward his panacea for Irish grievances, despite the prohibitions of the Irish Executive.

The celebrated "Algerine Act," so named by O'Connell, received the Royal assent 5th March 1829. It empowered the Lord-Lieutenant to declare by proclamation any assembly in Ireland illegal. O'Connell, as we have seen, tried to evade the Government proclamations by changing the places of the meetings and the names of the associations. Instead of open-air meetings, he had a series of breakfasts at which patriotic speeches were made. Notwithstanding the ingenuity which the most astute leader of the Irish Catholics employed, O'Connell was arrested, together with seven of his associates, and an indictment, charging him with misdemeanour in violating the statute, and also for constituting an unlawful assembly, was found by the Grand Jury in the King's Bench, Dublin, in January 1832. The course advised by O'Connell, in reference to this proceeding, was eminently calculated to perplex any but the most wary Attorney-General. He demurred to the counts in the indictment charging him and his associates with violating the Act. He pleaded "Not Guilty" to the counts charging offences at common law. When the demurrer was ready for argument, O'Connell appealed to the Court for leave to withdraw the demurrer, and plead. This motion was resisted by the Attorney-General, Blackburne, on the grounds that, as the time for trial was now passed, the traversers ought not to be allowed to avail themselves of an artifice to procrastinate the decision of the case. The Court then ruled the traversers must be ready for trial at the after sittings. and that, though the Chief-Justice could try the case, the other three judges of the King's Bench would preside also. While expectation was busy with the probable result of the trial, O'Connell, on the last day of Hilary term, caused the plea of 'Not Guilty' on the counts framed and the statute to be withdrawn, and that of 'Guilty' entered, with the object, it was said, of trying by writ of error the questions of law raised by the demurrer. This seemed to satisfy the Crown, and a *Nolle prosequi* was entered on the remaining counts, the traversers undertaking to appear for judgment on the first day of Easter term.

Delays are often fraught with serious consequences. Mr Blackburne thought he held O'Connell fast bound in the meshes of the

statute, but this was not so. The Act was to be in force only *during the Session of Parliament*, and before the day upon which O'Connell and his brother traversers were to appear for judgment, the Act they were indicted for violating was a dead letter on the statute-book. Lord John Russell's Reform Bill, carried by a majority of one on the second reading, went into committee. The first amendment was defeated by a majority of 8; this led to a dissolution, and the legal chain which bound O'Connell and the rest was snapped, and the proceedings fell to the ground. During some years subsequently, Ireland was greatly disturbed by agrarian crime, the result of the then unsatisfactory state of contracts between landlords and tenants. The Attorney-General used every exertion to vindicate the law, and uphold trial by jury. He attended in many cases, and his statements of facts, distinguished by their extreme lucidity, his propositions of law, alike just and appropriate, his manner calm and unimpassioned, evincing no desire unduly to strain the power of the law of which he was minister against the prisoners in the dock, make his conduct of these trials a model for future law officers to imitate. At the special commissions in Clare and in the Queen's County, as also the Terryalt insurrection in Limerick in 1831, and the trial of the men charged with slaughtering the police at Carrickstock in 1832, the Attorney-General conducted the prosecutions, while O'Connell defended the prisoners. It was an interesting study to watch the Attorney-General on these exciting occasions. When others were anxious, eager, excited, he was calm and self-possessed; his language was concise and elegant; he refrained from exciting the juries by the least attempt at declamation; but his voice, sonorous and powerful, sent every word home to the listener's mind. The very look of Mr Blackburne denoted power. The massive square-built form told of strength in its compactness. The broad brow, the well-developed jaw, the coarse round nose, and large lustrous dark eyes, told of strength and laboriousness.

In 1833, Blackburne again encountered O'Connell. Mr Barrett, proprietor of the *Pilot* newspaper, was prosecuted for printing and publishing a letter of O'Connell's upon the fertile subject of the Union. The letter was considered a libel, and the newspaper proprietor was prosecuted. O'Connell was counsel for Mr Barrett. He defended his own letter in a speech which occupied four hours in the delivery, and was a masterly piece of eloquence; but the jury convicted, and the Attorney-General triumphed. Mr Barrett was sentenced to fine and imprisonment.

In 1834 a change of Government took place. The Whigs ceased to be advisers to his Majesty King William IV., and Sir Robert Peel took the helm of State. Men speculated as to the course Mr Blackburne would adopt. He had held office under the Anglesey and Wellesley Whig administrations. Even after Earl Grey, the Duke of Richmond, Lord Ripon, and Lord Stanley had left what they considered a sinking ship, the Irish Attorney-General firmly clung to the craft, which struggled amidst the breakers. Such was the confidence reposed in him, that, it is said, he was specially invited by Lord Melbourne, the Whig Premier, to waive his right to the seat vacated by

the death of Judge Jebb in October 1834, and continue to act as Attorney-General, with Mr O'Loughlen as Solicitor-General. To this he consented. Yet, despite all this, he continued Attorney-General under the Tory administration of Sir Robert Peel.

The celebrated "appropriation clause" wrecked the Peel Government in April 1835, and Mr Blackburne, Attorney-General for Ireland, lost his official position. He had sinned too deeply against the Whigs ever to expect favour or affection from them again, and even the patent of precedence which it was customary to grant out-going Attorney-Generals was not offered to Mr Blackburne. This did not trouble him. He had vast and lucrative practice in the Court of Chancery, where his great professional learning, quiet argumentative habits, and clear statements, made him the prime favourite. He was occasionally brought to the assizes by a special fee, and contemporaries well remember his power on such occasions. His speeches, though admirable, were not distinguished by any extraordinary flights of eloquence, but adapted to the reason and intellects of the twelve gentlemen he wished to convince. He urged such points as he considered material in a voice of singular sweetness and tone, in a manner that spoke more of principles to be accepted than of points to be discussed, until his calm and quiet assurances insensibly told upon the jury, and they coincided with his views as those of equity and good conscience.

His talent for cross-examination partook of much the same character. He could not if he would assume what is called the bullying, *nisi prius* manner. Mr Blackburne never browbeat a witness, but he gained his point by other means. His tranquil manner and gentle voice lulled the unsuspecting witness into a fancied security; his victim never thought of the effect of admissions brought out by the subtle lawyer who put the apparently harmless questions in the most dulcet tones until he achieved his object. Especially with educated witnesses, his method was far more successful than any amount of bullying or browbeating.

It would probably have been the right of the Attorney-General to succeed to the Chief-Justiceship of the Queen's Bench, on the retirement of Chief-Justice Bushe in 1841, but he gave place to Mr Pennefather, the Solicitor-General, one of the most eminent members of the bar of Ireland, who, in standing, was considerably senior to the Attorney-General. Mr Blackburne, however, was soon to occupy the bench. The estimable and able Master of the Rolls, Sir Michael O'Loughlen, died in September 1842, and the ensuing Michaelmas term his seat was occupied by the Right Honourable Francis Blackburne. The duties of the Judge of the Rolls Court involve perhaps a larger amount of technical knowledge, and a more prompt application of legal principles, than those of any other judge. He has to deal with a more extended list of causes of great importance and varied aspect; while some are of the easiest form, many are of a most intricate and complicated character; and the facts of each case are usually gleaned from the statements of counsel.

The Master of the Rolls is usually expected to decide *ex instante*, and therefore requires to be master of the equity which he deals out, and of the practice of the Court over which he presides. He has, of course, the power of taking time to deliberate before he decides, but in general



the cases are summarily disposed of, many being mere matters of account to be arranged in the offices of the three Masters in Chancery, or by appointment of receivers, or distribution of funds in Court. All these notices are familiar to the practitioner in the Rolls Court, and the business had been so admirably discharged by Sir Michael O'Loughlen, that some anxiety was felt as to whether his successor would be equally successful in giving satisfaction to the suitors and the profession. A short experience of Mr Blackburne's judicial capacity decided the question affirmatively. His great knowledge of equitable principles, combined with his comprehensive grasp of the material facts of each case, enabled him to decide promptly and intelligibly; while in every matter, especially in any one of doubt or difficulty, he listened with patient attention to the arguments of counsel, and then pronounced judgments which won respect and commanded reverence. His high personal character also gave additional force to his views; and woe to the tricky solicitor, defaulting trustee, or fraudulent agent, who came under his just rebuke. Yet, however strong his language and vigorous his denunciation, he ever remembered he was on the judgment seat. No hasty ebullition of temper or expressions of irritable antipathy, however pardonable in a man, but highly indecorous in a judge, escaped from the bench during the time he presided. Hence he made an admirable Master of the Rolls.

He was destined for higher duties, however, than those of the Rolls Court. The death of Chief-Justice Pennefather in 1845 left the chief place at the disposal of the Government, and Sir Robert Peel conferred it upon Mr Blackburne. The office was suited to his character as an intrepid upholder of law and order. Unhappily it was not very long before he was called upon for a display of these qualities. In 1848, a time of Revolution in Europe, the political party known as "Young Ireland" had notoriously seceded from the "Old Ireland" party on the point that an appeal to physical force was allowable to gain political privileges, which the peace-loving Old Irishmen denied. In order to carry out their views, the Young Irishmen assembled large bodies of their adherents, chiefly in Tipperary, and induced them to believe there would be a general insurrection. Several bodies, with such weapons as they could procure, were seen in various parts of the country. At length an insurrection broke out during the month of July 1848, at Ballingarry, in the county Tipperary, on which occasion William Smith O'Brien, Terence Bellew MacManus, Thomas F. Meagher, and others, acted as leaders. They attacked the police-barrack, and, in the words of the statute, "levied war" against the Queen contrary to their allegiance, and incurred the penalties of high treason. This insane attempt at rebellion having been speedily crushed, the leaders were arrested, and a special commission for the trial of the prisoners was directed to the Lord Chief-Justice, Chief-Justice Doherty, and Mr Justice Hearne. The Court was opened at Clonmel on Thursday, the 21st of September 1848.

Blackburne's charge to the grand jury fully sustained his great reputation. In opening the matter to be inquired into, he lamented that Her "Gracious Majesty should, after the lapse of a few months, find it necessary to issue that commission. Distressing and deplorable as such a measure would be under any circumstances, it becomes so

in the last degree when we know that that measure has originated in machinations and attempts which constitute the crime of high treason—a crime the highest in degree that a subject of the realm or a member of the community can commit; a crime whose object is the total destruction of our legal system, the subversion of all security for property and for life; and a crime which no reasonable being can contemplate without knowing that it must lead to the shedding of human blood, and that it must entail on the country all the horrors and all the miseries of civil and social war.”\*

The Crown was represented by the Attorney-General, the Right Hon. J. K. Monahan, the Solicitor-General Hatchel, and some members of the Leinster Circuit; while the prisoners were defended by Mr Whiteside, Q.C., Mr Francis Fitzgerald, Sir Colman O’Loghlen, and Mr Barton. With such able counsel, it is needless to say the whole armoury of legal weapons was tried to shield their clients. There were applications to postpone the trials for non-delivery of lists of jurors and witnesses, challenges to the array, challenges to the jurors, and numerous law arguments, all requiring the vigilant attention of the Chief-Justice. The jury having found verdicts of guilty against the various prisoners, Smith O’Brien and others received sentence of death. A writ of error was brought forward and argued in the Court of Queen’s Bench, and judgment was given against the prisoners. The sentence pronounced upon Mr Smith O’Brien and the rest was changed into banishment to the Australian colonies.

In 1851, the Chief-Justice was appointed Vice-Chancellor of the University of Dublin, an office of dignity and responsibility, and for which his great love for his university rendered him peculiarly qualified. He retained it till his death. When Lord Derby became Prime Minister in 1852, he had such personal knowledge of the great ability of the Chief-Justice, both as a politician in advising and a lawyer in administering justice, that he selected him for the highest office in the law—that of Lord Chancellor of Ireland. He acquitted himself in this, as in his no less arduous duties in the Queen’s Bench and the Rolls, with great learning and ability. He had indeed no very heavy list of causes; the Chancery Regulation Act, passed two years previously, sent most of the causes to be decided before the Masters in Chancery. The ministry of Lord Derby broke up in the month of December 1852, and on its resignation Mr Blackburne was succeeded by Mr Maziere Brady. The Ex-Chancellor then lived much at his residence, Rathfarnham Castle, which he took great delight in restoring to its former splendour.

On the Chancery Appeal Act of 1856 becoming law, the office of Lord-Justice of Appeal in Chancery created by it gave a fitting opportunity for utilising the great judicial talents of Ex-Chancellor Blackburne. Indeed, while the bill was proceeding towards maturity, the professional and the public voice so distinctly marked out Mr Blackburne for this office as to prevent any competition; and in November 1856, while Lord Palmerston was Premier, Mr Blackburne was sworn in as Lord-Justice; he was thus once more a recipient of office from the Whigs. Here he was in his element. Patient in investigating, clear and

\* Trial of Smith O’Brien, p. 2.

logical in arranging, impressive and dignified in expression, he never felt the responsibility of his high position a burden; and, while weighing the judgment of others, he was abstemious in enforcing his own. His judgments are remarkable for their moderate, dispassionate, and able expositions of the law, and were delivered in his equable, imperturbable voice. No obtrusive self-assertion, or undignified imputation upon the judgments of his brother judges, marred the effect of the decision of Lord-Justice Blackburne.

On the return of Lord Derby to the office of Prime Minister in 1866, the Lord-Justice was then over eighty years old, and though in vigorous health for his time of life, could not be considered capable of efficiently discharging the onerous duties of Lord High Chancellor of Ireland. It was the wish of the legal profession that the Right Hon. Abraham Brewster, whose political opinions were in accord with the Government, should be tendered the Great Seal, and it was with regret that he was seen to be passed over and the honour once more conferred on the octogenarian Lord-Justice. At the same time Ex-Chancellor Napier was nominated Lord-Justice of Appeal, vacant by the elevation of Mr Blackburne to be Chancellor. As the former eminent lawyer laboured under the infirmity of deafness, the high sense of honour which has ever distinguished Ex-Chancellor Napier induced him to address a very characteristic letter to the Premier, resigning the appointment.

Before concluding this memoir of Mr Blackburne, we must make some mention of his social qualities. These were very high, and deservedly endeared him to a wide circle of friends. He had great musical talent, and in his earlier days sang the melodies of his native land with a sweetness and pathos which Moore declared lent them an additional charm. He was a patron of the fine arts, and was so distinguished for his practical views on Irish matters that it is said that when a new Viceroy was sent to Ireland and inquired of some leading member of the Government the best means of governing the country, the answer was, "Provide yourself, my lord, with a good cook, and in all difficulties be guided by Blackburne."

As the Chancellor did not feel called upon to make a sacrifice similar to that of Mr Napier, he retained office in 1866, though it was manifest that his once able and judicial mind succumbed to the pressure of age and bodily infirmity. He at last became quite unequal to the labour of hearing causes, and early in 1867 he resigned the Great Seal.

Very shortly after his retirement, the following address from the Bar was presented to the Right Hon. Francis Blackburne:—

"SIR,—The Bar of Ireland desire, while they bid farewell on the occasion of your retirement from the bench, to express to you their feelings of respect and admiration for the great qualities which have distinguished you, and have reflected so much honour upon your profession. The history of your career, extending over more than sixty years, contains a record of which the Irish bar are proud, and which is in many respects without a parallel. In your earlier years at the bar those qualities which had won the great distinctions of your college course raised you to pre-eminence among rivals with whom few could have ventured to compete. Having reached the highest

point of professional eminence, and proved yourself a sound lawyer and consummate advocate, public honours and public trust soon followed as the first recognition of your well-earned position. In the discharge of your duties as first law-officer of the Crown during times of difficulty your abilities were ever equal to the occasion, while your moderation and firmness have left an example worthy of imitation. You were then in succession Master of the Rolls, Lord Chief-Justice, Lord High Chancellor, and Lord-Justice of Appeal. In the history of this country no man ever filled so many high judicial offices, and brought to the discharge of each such great and varied faculties. Calm and impressive dignity, great grasp of mind, unequalled sagacity, and a rare faculty of clothing thought in clear and simple language, conspicuously marked your administration of the law. Your uniform courtesy and kindness will be long remembered by us all, and you bear with you, into your retirement, the sincere good wishes of every member of the Irish Bar.

"Signed for the Bar of Ireland, in pursuance of a resolution unanimously adopted at a meeting held in the Law Library, Four Courts, Dublin, April 24th, 1867.

"ROBERT D. M'CREADY, *Father of the Bar.*"

The following is the reply of the Ex-Chancellor.

"GENTLEMEN,—It is with feelings of no ordinary character that I reply to your address, so kind, so touching, I would add so affectionate, and it causes me no little difficulty to find words to give adequate expression to them. It affords me the deepest gratification to receive from the Bar of Ireland such a recognition of my services, when I consider its worth, its learning, and its personal character. In your feeling address you allude to the several high offices which I have from time to time filled by favour of the Crown, and to the mode in which their attendant duties were performed. I can only say that, in the discharge of those duties, I felt that a sacred trust was committed to my keeping, and that a strict regard to the interests of justice and to the welfare of our country and perfect impartiality between man and man, should be my guiding principles of action. In bidding you farewell, at the close of a long professional career, I cannot do so without in the fullest manner reciprocating the kindly sentiments which your address contains, and wishing you, my friends, a long enjoyment of life and happiness, and of success in the noble profession of which we are members. I had hoped to have had the great pleasure of being able to receive your address in person, but I deeply regret that, owing to my lengthened illness, I am unable to do so, and must therefore send to the Father of the Bar the reply which I should so much have wished to deliver.

"FRANCIS BLACKBURNE."

The following address to the Right Hon. Francis Blackburne, late Lord High Chancellor of Ireland, was next presented by the Attorneys and Solicitors.

"SIR,—We feel that we would not properly represent the attorneys and solicitors of Ireland if we allowed an event of such importance in our legal annals, as your retirement from public life, to pass by without



an expression of our sincere esteem and admiration for your judicial character. We have seen you fill four eminent positions, any one of which would have tested the qualities of a judge, and in each we have experienced the benefit of your great ability, acumen, and learning, as well as your incomparable patience, courtesy, and impartiality. As Master of the Rolls, Lord Chief-Justice, Lord Chancellor, and Lord Justice of Appeal, you ever upheld with firmness the dignity of the bench, while you extended to the practitioners of the court every reasonable indulgence, consideration, and confidence. In your hands, both law and equity were in their respective spheres administered with equal power and ability, and with that calm, unbiassed judgment which ever inspires confidence in the minds both of the suitors and the legal profession. We desire, at the close of a judicial career, so long, so eventful, and so distinguished, to express on behalf of our profession our best wishes for your future welfare, and to assure you that you will carry into your retirement the highest esteem and respect of the attorneys and solicitors of Ireland.—I remain, Sir, on behalf of the Incorporated Law Society of Ireland, your faithful servant,

“RICHARD J. THEO. ORPEN, *President*.

“JOHN H. GODDART, *Secretary*.

“SOLICITORS’ HALL, FOUR COURTS,  
DUBLIN, *May 24, 1867.*”

The annexed was his lordship’s reply.

“GENTLEMEN,—It is to me a source of the most unfeigned gratification to receive such a mark of approbation as that which has been presented to me by the attorneys and solicitors of Ireland. Brought for many years, both as barrister and judge, into intimate connection with members of your profession, I should indeed be wanting if I did not express the deep sense which I have always entertained of their high character and honour, and of the talents and skill which they brought to the discharge of their arduous and responsible duties. For the manner in which you have alluded to my public services, I cannot feel too grateful. It affords me the deepest pleasure to find at the close of a long and I may add of an eventful career, that I retire from the cares and responsibilities of public life, having gained the approbation and esteem of those whom I so highly value. I should have wished, had my illness not prevented it, to have replied to your address in person, but my failing health forbids it, and I am therefore reluctantly obliged to send these few lines to your secretary.

“FRANCIS BLACKBURNE.”

On the 17th of September 1867, the Right Honourable Francis Blackburne died, just five days after the completion of his eighty-fifth year, at his residence, Rathfarnham Castle, in the County of Dublin.



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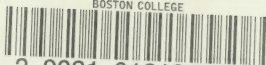
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